# From Paper Chase to Money Chase:

### Law School Debt Diverts Road to Public Service







© November 2002 — Equal Justice Works, NALP, and the Partnership for Public Service.







2120 L Street, NW, Suite 450 Washington, DC 20037-1541 (202) 466-3686 (202) 429-9766 Fax mail@equaljusticeworks.org www.equaljusticeworks.org Suite 1110 1025 Connecticut Avenue, NW Washington, DC 20036-5413 (202) 835-1001 (202) 835-1112 Fax info@nalp.org www.nalp.org

1725 Eye Street, NW, Suite 900 Washington, DC 20006 -2420 (202) 775-9111 (202) 775-8885 Fax mail@ourpublicservice.org www.ourpublicservice.org



# **Contents**

Executive S	Summary	5
Spiraling	Cost of a Legal Education	5
Fewer Lav	vyers Can Afford Public Service	6
Findings .		6
The Value	of LRAPs	7
Recomme	endations	7
A Legal Edu	ucation: The Costs and Opportunities	9
Public Inte	erest Law	9
Federal G	overnment Service	10
	Costs, Law Student Debt, and Attorney Salaries:	
_	ll in Context	
	ol Costs	
	Law School Tuition	
	ent Educational Debt	
	Law School Debt — Percent Increase	
	Law School Debt — Amount	
	How Compensation Differs Among Employers	
	Median Starting Salary	
	Private Law Firm Associate Salaries	
	Public Interest/State and Local Government Salaries	
	the Class of 2002	
	ies of Debt	
	Public Interest Attorney — Estimated Monthly Budget	
Table:	Federal Government Attorney — Estimated Monthly Budget	18
How Gradu	ates Decide Where to Work	19
The Impact	of Debt and Salary	19
Chart:	Did Law School Debt Prevent Consideration of a Public Sector Career?	19
Table:	Debt as a Roadblock to Public Interest and Government Employment	20
Sideba	r: The Lowdown on Loans	20
How Salar	y Impacts Job Choice	21
Chart:	Factors Influencing Post-Graduate Employment	21
The Impact	of Perception	22
Chart:	Factors in Accepting Federal Agency Positions	22
Chart:	Factors in Accepting Civil Legal Services Positions	23
Why Stud	ents Pursue Private Sector Employment	23
Chart:	Factors in Accepting Large Private Firm Positions	23
Perceived	Benefits of Public Interest and Government Employment	24
Chart:	Benefits of Civil Legal Services Employment	24
Chart:	Benefits of Federal Government Employment	25
Sideha	r. The Benefits and Shortcomings of Federal Public Service	25

Perceived	Drawbacks to Federal Government Employment	26
Chart:	Drawbacks to Federal Government Employment	26
Perceived	Drawbacks to Civil Legal Services Employment	27
Chart:	Drawbacks to Civil Legal Services Employment	27
Student Ir	nterest in Federal Government Employment	28
Chart:	Interest in Federal Government Employment: Third-Year Law Students vs. the General Population	28
Sideba	r: The Impact of 9/11	29
Sideba	r: The Public Interest and Government Employer Perspective	30
	Chart: Public Interest and Government Employers: Factors Contributing to Recruitment Problems	31
	Chart: Public Interest and Government Employers: Factors Contributing to Retention Problems	31
	Chart: Length of Tenure for Public Interest Attorneys	32
Current Eff	orts and Emerging Ideas	33
Loan Repa	ayment Assistance Programs	33
	Percent of Graduating Students Seeking Loan Repayment Assistance (by Type of Employment)	
Sideha	r: Number of LRAPs Increasing	
	ol LRAPs	
	Loan Repayment Assistance	
	Do Employers Feel LRAPs Are an Effective Recruitment Tool?	
	Do Employers Feel LRAPs Are an Effective Retention Tool?	
	pan Repayment Program	
	. ,	
Conclusion	s and Recommendations	38
Appendix I	: Methodology	41
Table:	Respondents by Age, Gender, Race/Ethnicity	42
	l: What Public Interest and State and Local Government	
	Pay Attorneys	43
Chart:	What Public Interest and State and Local Government Employers Pay Entry-Level Attorneys	43
Chart:	What Public Interest and State and Local Government Employers Pay Second-Year Attorneys	44
Chart:	What Public Interest and State and Local Government Employers Pay Third-Year Attorneys	44
Chart:	What Public Interest and State and Local Government Employers Pay Fifth-Year Attorneys	45
Chart:	What Public Interest and State and Local Government Employers Pay Seventh-Year Attorneys	45
Chart:	What Public Interest and State and Local Government Employers Pay Tenth-Year Attorneys	46
Chart:	What Public Interest and State and Local Government Employers Pay Fifteenth-Year Attorneys	46
Chart:	What Public Interest and State and Local Government Employers Pay Twentieth-Year Attorneys	47



### **Executive Summary**

Public interest legal organizations and the federal government face unique and pressing challenges as they attempt to recruit and to retain legal talent. Conventional wisdom has long identified one of the causes of these problems as the debt required to finance a legal education. Yet, few studies have attempted to link cause and effect.

This report deals with the impact of rising law school tuition costs, focusing primarily on how the ensuing debt burdens narrow student service options following graduation. The findings show that educational debt prevents many graduates from choosing careers in which they are interested but that provide lower salaries — results that have a broad impact beyond individual student career tracks or new recruiting trends.

Recruiting and retaining talented and experienced attorneys in the public interest arena is essential to a nation that aims to provide all citizens with fair and effective access to the justice system. Of equal importance, a talented and committed federal workforce is tantamount to a high performing government civil service that earns and retains the confidence of the American public. While respondents expressed reservations with regard to a variety of myths and stereotypes about government service (red tape, bureaucracy, etc.) they still voiced a significant interest in federal service. As the government faces recruitment and retention challenges, it should take the opportunity to dispel myths and capitalize on this enthusiasm. Yet, even with such a communications effort, this survey suggests that debt may still serve as a substantial barrier to graduates' ability to enter public service.



#### **Spiraling Cost of a Legal Education**

New attorneys are entering the workforce with mortgage-sized educational debt burdens. The meteoric rise in law school tuition in the past ten years is the primary reason for this problem. Overall, law school tuition doubled between 1991 and 2001. In 2001, median private law school tuition was less than \$23,000 a year. Such high tuition levels contribute directly to a median law school debt for students of more than \$84,000 — an amount that does not include the additional undergraduate debt burden that many students bear.

<sup>&</sup>lt;sup>1</sup> ABA Section on Legal Education and Admissions to the Bar. The average, rather than median, statistics are even higher than the numbers cited here.

The median debt figures given here are estimates based only on data for those students who borrowed at least one Law Access Loan (LAL) from Access Group, Inc. while in law school. It was assumed that each student in this group borrowed his/her full eligibility in Federal Stafford/Direct loans before borrowing a private loan. Thus, the estimate represents only a subset of all those who borrowed while in law school — those needing both federal and private loan funding. The median figure was calculated as the sum of:

(1) the median loan principal that was borrowed, (2) an estimate of the accrued interest that was capitalized just prior to repayment, and (3) any supplemental fee that was added to the median principal prior to repayment. The interest rate used in all calculations on Federal Stafford/Direct loans was 8.25% (cap); interest rate on private loans was 8.5%.



#### **Fewer Lawyers Can Afford Public Service**

Faced with staggering law school debt, many law school graduates must forgo the call to public service despite their interest and commitment to such a career. Public interest and government employers will increasingly lose in their efforts to recruit and retain talented and dedicated attorneys. With educational debt payments averaging close to \$1,000 a month (approximately one-half of a typical public interest lawyer's salary), a graduate's ability to pay other necessary bills such as rent, utilities, gas, and food too often become very difficult, if not impossible.

### **Findings**

Equal Justice Works, the Partnership for Public Service, the National Association for Law Placement, and the National Legal Aid and Defender Association found that among graduating law students and public interest and government employers who responded to two different surveys administered in 2002:

- Law school debt prevented 66% of student respondents from considering a public interest job or government job. This vital connection between debt and career choice reveals the impact of rising debt burdens.
- The vast majority of students borrowed for law school. 94% of law students reported borrowing money to attend law school.
- 68% of public interest employers reported difficulty recruiting the attorneys they need. Moreover, 62% reported difficulties retaining experienced attorneys.
- Public interest and government salaries do not keep pace with private sector salaries. A majority of public interest and government employers paid their seventh year attorneys less than \$45,000 a year less than half of what a similarly-experienced attorney typically earns at a private law firm.
- 43% of graduate respondents show significant interest in working for the Federal Government. However, fewer than 3% of respondents accepted federal government positions.
- \$6,000 a year in available loan repayment assistance would result in increased interest in a post-graduate federal government job for 83% of student respondents. Regardless of the job choice they made, 46% of student respondents said they would be much more interested, and 37% said they would be somewhat more interested in a federal government position if it included \$6,000 per year in loan repayment assistance. This holds true even though the loan repayments would require a three-year employment commitment.

### The Value of LRAPs

Survey results suggest that some of the best solutions to the educational debt crisis are loan repayment assistance programs (LRAPs) and other similar programs. LRAPs typically assist graduates working in low-paying public interest and government positions with their loan payments. LRAPs that provide relief for attorneys are currently available through law schools, public interest employers, a few statewide programs, and, in only a few cases, from the federal government. Still, the existence of an LRAP is not enough. Many programs are not adequately funded, or they contain stringent eligibility requirements preventing many law graduates from qualifying.

Solving the law school debt crisis will require the contributions of many stakeholders. Significant effort is needed to create new and improve existing law school LRAPs, to educate policy makers about the problem of debt, to lobby the federal government for more loan repayment options, and to assist states and employers seeking to establish an LRAP. Instituting well-funded LRAPs is one way to ensure that the next generation of lawyers will include law school graduates who are able to pursue and to afford public service careers.



#### Recommendations

Equal Justice Works, the Partnership for Public Service, and the National Association for Law Placement propose the following recommendations as ways to address the problem of law school debt and its impact on public service careers:

#### ■ Increase and Improve LRAPs

- Increase the number of school-based LRAPs. Schools that do not have LRAPs should create their own school-based programs. In addition to helping provide an important community and national service, schools would be removing obstacles that prevent their graduates from pursuing public service careers.
- Improve existing LRAPs. Schools with existing LRAPs should strengthen them.
   While many schools have instituted LRAPs over the past decade, a mere six schools still provide the majority of loan repayments nationwide. A successful law school LRAP can provide meaningful debt relief to graduates, allowing them to take and to remain in public service jobs.
- Increase the number of public interest employers who offer LRAPs. Public interest employers who do not already have LRAPs should research the possibility of starting their own employer-based programs. Several employers offer such programs as a standard benefit, similar to health insurance or a 401k. These programs can be costly, but, as this survey shows, the vast majority of employer respondents report that their LRAP is an effective recruitment and retention tool.
- Public Interest employers should lobby schools to create LRAPs. Public interest
  employers in need of critical talent should lobby nearby law schools to create or
  improve LRAPs. When contemplating one of these programs, law schools often
  want and need information about local employment trends and input from local

- public interest and government employers to determine whether an LRAP would be helpful.
- Aggressive implementation of loan repayment assistance programs in federal agencies. The U.S. Office of Personnel Management (OPM) should encourage the use of loan repayment assistance programs as a recruitment and retention incentive and agencies should institute guidelines and request funding to create such programs. Furthermore, Congress should provide appropriations for these incentives and should pass the Generating Opportunities by Forgiving Education Debt for Service (GOFEDS, S. 1817 and H.R. 3893), which would make government loan repayments non-taxable.
- Create scholarship programs. Schools should reach out to alumni who are concerned with public interest/public service law in an effort to raise funds to create scholarship opportunities particular to career tracks. Schools can find models for such programs in New York University's expansion of the Root Tilden Kern scholarship program, which encourages graduates to enter public service law positions, and Harvard Law School's Heyman Fellows program, which assists with loan repayments for graduates who enter the federal government.
- Document recruitment and retention problems. Public interest and government employers should do their utmost to document the challenges they face in recruiting and retaining dedicated lawyers, particularly as these challenges relate to problems that new attorneys experience in trying to manage large amounts of debt. In this survey, only 21% of public interest and government organizations reported capturing hard data about how law school debt impacts recruitment and retention. Employer-specific data is crucial to resolving this issue. Information about recruitment and retention problems can assist when seeking funding for an employer-sponsored LRAP, campaigning to start an LRAP at a local law school, or obtaining additional funding for salary increases.
- Improve communication and outreach to campuses. Public service employers, especially the federal government, can engage in more and better outreach activities on law school campuses in order to dispel many of the myths surrounding employment opportunities in the public service sector. While some assumptions regarding federal opportunities are warranted (they do generally pay less than other legal employers) others are inaccurate. For example, lawyers who begin their careers working in a federal agency often find their work satisfying and rewarding. Yet, misperceptions of rampant bureaucracy and "red tape" dissuaded many respondents from considering federal employment.



# A Legal Education: The Costs and the Opportunities

Public interest legal organizations and the federal government face unique and pressing challenges as they attempt to recruit and to retain legal talent. Conventional wisdom has long identified one of the causes of these problems as the debt required to finance a legal education. Yet, few studies have attempted to link cause and effect.

This report deals with the impact of rising law school tuition costs, focusing primarily on how the ensuing debt burdens narrow student service options following graduation. The findings show that educational debt prevents many graduates from choosing careers in which they are interested but that provide lower salaries — results that have a broad impact beyond individual student career tracks or new recruiting trends.

These problems blunt the desire to serve that is prevalent among law school graduates, and have negative consequences for society as a whole. Low-income households, more often than other income groups, must negotiate legal issues to satisfy their basic needs for food, housing, health care, personal safety, and education. These needs too often go unfilled due to the limited availability of public interest lawyers.

At the same time, the federal government's role in representing the nation in its regulation, policy development, and oversight responsibilities demands the most skilled attorneys. Ultimately, a talented and committed federal workforce is tantamount to a high performing government that earns and retains the confidence of the American public. This report reveals that, all too often, educational debt pushes students away from these socially productive roles.

While respondents expressed reservations with regard to a variety of myths and stereotypes about government service (red tape, bureaucracy, etc.) they still voiced a significant interest in federal service. As the government faces recruitment and retention challenges, it should take the opportunity to dispel myths and capitalize on this interest. Yet, even with such a communications effort, results of this survey suggests that debt may still serve as a substantial barrier to graduates' ability to enter public service.



#### **Public Interest Law**

Currently, the millions of Americans who live in poverty have limited access to the legal system in the United States. In 2001, 32.9 million people, 11.7% of the U.S. population, lived below the federal poverty level, defined as \$18,104 for a family of four. This number reflects an increase of 1.3 million people from the previous year. Unfortunately, low-income individuals and families face legal problems associated with their most basic needs — food, housing, health care, personal safety, and education — yet attorneys trained to assist them are in short supply.

Proctor, Bernadette D. and Joseph Dalaker, U.S. Census Bureau, Current Population Reports, P60-219, Poverty in the United States: 2001, U.S. Government Printing Office, Washington, DC, 2002.

A 1994 study by the American Bar Association concluded that 80% of low-income people in this country do not have access to legal services. A dozen state studies, using varying methodologies to examine the unmet legal needs of the poor, confirm this number. Additionally, research conducted in 1993 by Legal Services Corporation revealed that nearly half of all people who applied for assistance from local programs were turned away because of a lack of program resources.

As public interest organizations work to meet these needs, evidence shows that they are struggling to recruit talented law graduates into the legal services arena. Studies also show that this recruitment challenge is compounded by problems in retaining lawyers, as attorney attrition siphons off already scarce resources from these organizations.



#### **Federal Government Service**

The federal government also faces a variety of potential workforce problems in the years ahead. In the next five years, more than 50% of the federal workforce may be eligible to retire. Although no one expects all of these public servants to leave office at the same time, this number is reflective of an aging workforce. These "baby boom" generation employees began their civil service careers in the 1960s and '70s, a period when Americans viewed government employment as attractive work and even a noble calling. In the years that followed, many of them dedicated their working lives to public service.

In today's economy, however, few individuals commit their careers to a single employer and the government must adjust to the new revolving door habits of America's workforce. Similar to their counterparts in public interest organizations, lawyers at important regulatory agencies like the SEC gain valuable experience and then leave the public service for more profitable pastures. Unfortunately, this means that as more than half of federal workers prepare for retirement, these other employees — who are not necessarily eligible to retire — may also leave government to pursue other jobs, opportunities, or experiences.

As federal agencies and public policy research point to these recruitment and retention problems, other studies reveal a declining interest in government service. While a recent Partnership for Public Service/Hart-Teeter study found that 25% of college-educated workers express a significant interest in government service, these workers also reveal a general lack of information about federal jobs and how to get them. Together, these factors form the largest

Report on the Legal Needs of the Low-Income Public, ABA Publication 4290018, January 1994.

Legal Services Corporation Special Report to Congress, April 30, 2000, at http://www.lsc.gov/pressr/ EXSUM.pdf. State studies include Florida, Georgia, Hawaii, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Missouri, Nevada, New York and Virginia.

Regarding recruitment and retention challenges see: General Accounting Office — Human Capital: Taking Steps to Meet Current and Emerging Human Capital Challenges, July 17, 2001; Human Capital: Meeting the Government-wide High Risk Challenge, February 2001; and Human Capital: Managing Human Capital in the 21st Century, March 9, 2000; The National Academy of Public Administration, The Quest for Talent: Recruitment Strategies for Federal Agencies, 2001; Carol A. Chetkovich, Winning the Best and the Brightest: Increasing the Attraction of Public Service, The PricewaterhouseCoopers Endowment for the Business of Government, July 2001.

obstacles to successful recruitment at the federal level. Surveys also show that the government is losing potential recruits to the non-profit and private sectors. Respondents viewed the private sector as better than the government at offering "interesting and challenging work" and non-profit employment as a superior opportunity to "contribute to society and make a difference."<sup>77,8</sup> There is a risk that in the coming years these recruiting issues will collide with the aforementioned retention challenges, creating a government workforce crisis.

Therefore, even without the issue of student and attorney debt, public interest and government organizations face a variety of challenges in recruiting and retaining legal talent. This report aims to provide information about the many obstacles these types of organizations face and reveal how debt impacts the career decisions of graduating law students.

Partnership for Public Service Survey, a public opinion study commissioned by the Partnership for Public Service and conducted by Hart-Teeter Research, Hart-Teeter Research, September 2002.

<sup>&</sup>lt;sup>8</sup> The Unanswered Call to Public Service: Americans' Attitudes Before and After September 11, a public opinion study commissioned by the Partnership for Public Service and conducted by Hart-Teeter Research, October 2001.



# Law School Costs, Law Student Debt and Attorney Salaries: Putting It All in Context

The cost of a legal education has skyrocketed; in just a decade law school tuition has nearly doubled. In 1991 median private law school tuition was \$12,999 per year. Today it is just less than \$23,000 per year.<sup>9</sup>



#### **Law School Costs**

Between 1991 and 2001, tuition at state law schools for in-state residents jumped 140%. Meanwhile, private law school tuition increased 76%.

Law School Tuition			
Type of Institution	1991	2001	Percent Increase
Private Law School	\$12,999	\$22,870	76%
Public Resident	\$3,225	\$7,738	140%
Public Non-resident	\$8,006	\$17,538	119%

Moreover, the median tuition amounts listed above do not adequately reflect the highest tuition levels. Tuition at 25 law schools exceeded \$25,000 per year in 2000 and at eight other schools surpassed \$28,000. When associated costs are factored in (books, fees, living expenses, etc.), the annual expense of law school becomes so high that nearly all students must take on debt to afford it.

<sup>&</sup>lt;sup>9</sup> ABA Section of Legal Education and Admissions to the Bar. The average, rather than median, statistics are even higher than the numbers cited here.

<sup>10</sup> Ibid.



#### **Law Student Educational Debt**

With no clear end to the rising costs of legal education in sight, today's law school graduates often enter the workforce with enormous educational debt. Increased levels of law student debt have mirrored the increases in the cost of a legal education. According to the Access Group, between 1993 and 2000, the median law student educational debt increased 59% (more than \$30,000) to \$84,400.<sup>11</sup>

Lav	v School Deb	t
1993	2000	Percent Increase
\$53,200	\$84,400	59%

During that same eight year period, tuition at private law schools increased 48% while state law school tuition saw a 76% increase. 12

The survey for *From Paper Chase to Money Chase*, which Equal Justice Works (EJW), the Partnership for Public Service, and the National Association for Law Placement (NALP) administered to graduating law students in spring 2002, asked respondents to indicate the level of their educational debt. <sup>13</sup> Overall, 94% of respondents borrowed money to attend law school. <sup>14</sup> A total of 1,622 graduating law students from 117 law schools responded to the survey. Approximately 50% of survey respondents graduated with more than \$75,000 in law school debt and an alarming 20% left school with debts that exceeds \$105,000. Monthly loan payments on these extremely high debt loads can be more than \$1,000 a month. More than half of the respondents (53%) also reported carrying forward additional debt from their undergraduate education.

The median debt figures given here are estimates based only on data for those students who borrowed at least one Law Access<sup>®</sup> Loan (LAL) from Access Group, Inc. while in law school. It was assumed that each student in this group borrowed his/her full eligibility in Federal Stafford/Direct loans before borrowing a private loan. Thus, the estimate represents only a subset of all those who borrowed while in law school — those needing both federal and private loan funding. Furthermore, student loans borrowed prior to law school were not included in this estimate. The median figure was calculated as the sum of: (1) the median loan principal that was borrowed, (2) an estimate of the accrued interest that was capitalized just prior to repayment, and (3) any supplemental fee that was added to the median principal prior to repayment. The interest rate used in all calculations on Federal Stafford/Direct loans was 8.25% (cap); interest rate on private loans was 8.5%.

<sup>&</sup>lt;sup>12</sup> ABA Section of Legal Education and Admissions to the Bar.

<sup>&</sup>lt;sup>13</sup> Respondents provided their debt in 13 number ranges, from "less than \$15,000" to "over 125,000."

A U.S. government study from 1999-2000, two years prior to this survey, found that 89% of all law students borrow for law school. 1999-2000 National Postsecondary Student Aid Study, U.S. Department of Education, National Center for Education Statistics, Washington, DC: (NPSAS: 2000).

Law School Debt		
Amount of Debt	Percent of Law Students	
More than \$45,000	74%	
More than \$75,000	50%	
More than \$105,000	20%	

Among respondents who chose to enter federal service, 97% borrowed money to pay for law school and more than half (58%) carried law school debt loads between \$55,000 and \$105,000. Those choosing to enter public interest positions were even more likely to carry such large burdens. Sixty-four percent of future legal services attorneys, 61% of entering public defenders, and 67% of entering state/district attorneys graduated with law school debt totaling between \$55,000 and 105,000.



#### **Salaries: How Compensation Differs Among Employers**

The significant challenges such large educational debt burdens present to graduating law students are best understood when viewed in the context of the striking gaps between salaries for attorneys in private practice and those in public service.

An examination of salary differences between public service and private practice attorneys yields telling results. In trying to reconcile their ambitions to work in public service with the pressures they feel under high debt loads, students are often compelled to consider other career options.

Historically, private sector positions have paid more than public service. Recently, however, that salary gap has widened. Between 1991 and 2001 starting salaries in the private sector increased at a significantly higher rate than public interest or government salaries.<sup>15</sup>

Median S	Starting Sal	lary	
Type of Institution	1991	2001	Percent Increase
Private Practice	\$50,000	\$90,000	80%
Federal Government	\$31,500	\$45,000	43%
Public Interest	\$25,500	\$35,000	37%
All Government (federal, state, and local)	\$30,000	\$41,000	37%

Source: Starting Salaries: What New Law Graduates Earn, Class of 2001, NALP.

The salary data for public interest law jobs and private sector law jobs was taken from three different surveys. All starting salaries are from *Starting Salaries: What New Law Graduates Earn, Class of 2001*, NALP. Public interest and government salaries for more senior attorneys were gathered as part of the *NAPIL/NLADA Employer Recruitment and Retention Survey* and were reported in ranges. Private sector salaries were gathered for the *NALP 2002 Associate Salary Survey* and were reported so as to determine a median salary. The latter two surveys were reported for the same timeframe, spring of 2002.

This salary differential only grows as attorneys rise in seniority. For example, fifth-year attorneys at small private firms (2-25 attorneys) earn roughly 75% more than their counterparts at public interest organizations. Seventh-year attorneys at small firms can earn more than twice what their public interest counterparts earn. In large firms (250 or more attorneys), the salaries for fifth-year attorneys could be 300% to 350% times more than in a public interest organization. After seven years, salaries at large firms can exceed four times the salaries of public interest attorneys with the same seniority.

Even absent comparisons to private sector salaries, attorneys in public interest careers face persistently low salaries and bleak earning potential as they advance in seniority: 61% of public interest employers paid their fifth-year attorneys less than \$45,000 a year and 51% paid their seventh year attorneys less than \$45,000 a year, according to a spring 2002 survey of public interest and government employers conducted by Equal Justice Works and the National Legal Aid & Defender Association (see page 30 for more information).

It often takes years for a public interest attorney to even approach a \$60,000 salary. Only 5% of public interest employers pay fifth year attorneys more than \$60,000 and only 18% pay attorneys with 10 years of experience more than \$60,000.

#### **Private Law Firm Associate Salaries**

Years Experience	2002 Median
Starting Salary	\$90,000
Second Year	\$94,000
Third Year	\$101,750
Fifth Year	\$115,000
Eighth Year	\$127,500

Source: NALP 2002 Associate Salary Survey.

### Public Interest/State and Local Government Salaries

Years Experience	Salary	Percent Employers
Starting	less than \$45,000	94%
Second year	less than \$45,000	88%
Third year	less than \$45,000	80%
Fifth year	less than \$45,000	61%
Seventh year	less than \$45,000	51%

Source: NAPIL/NLADA Employer Recruitment and Retention Survey, 2002. Salaries include public defenders and prosecutors.



#### Salaries in the Class of 2002

From Paper Chase to Money Chase found that student respondents had realistic salary expectations as they planned their post-graduate careers. Among respondents who accepted jobs with federal agencies, 80% expected to earn less than \$55,999 in their first year of employment. Among overall respondents, 52% found themselves in this salary range, while only 29% of graduates who planned to enter private law firms fell into this salary range. In fact, among respondents entering firms with more than 25 attorneys, 82% expected to make more than \$64,999 in their first year and 48% expected salaries that meet or exceed \$105,000.

The expectations of future public interest attorneys are even lower than their federal government colleagues. More than three-fourths (78%) of law graduates entering civil legal services expected to earn between \$25,000 and \$45,000. A similar number of future public defenders, 80%, and state/district attorneys, 71%, expected to earn salaries in the same range.

This data generally matches previous salary survey data. According to graduate employment statistics for the 2001 law school class, 45% of graduates who took jobs in private practice received salaries exceeding \$95,000. <sup>16</sup> In contrast, 90% of public defender and prosecutor offices pay salaries of \$30,000 to \$50,000 and 90% of civil legal services employers pay salaries that fall between \$26,000 and \$45,000. <sup>17</sup>

<sup>&</sup>lt;sup>16</sup> Starting Salaries: What New Law Graduates Earn, Class of 2001, NALP.

<sup>&</sup>lt;sup>17</sup> NAPIL/NLADA Employer Recruitment and Retention Survey.

### The Realities of Debt

In the real world of servicing debt and meeting basic living expenses, the impact of low salaries and high debt burdens is significant. Based on a median debt level of \$84,400 for law school expenses, debt service payments are approximately \$950 per month. Taking this high monthly payment into account, the estimated cost of living breakdowns below reveal the challenges that these new attorneys face.

The approximations below, however, do not account for other living expenses that a typical person faces, such as clothing, additional family members, medical expenses, entertainment/recreation, set-asides for short- and long-term savings, and inevitable emergencies. Facing such flat income levels and mounting debt, the reality is that many public interest or government oriented attorneys are unable to take such jobs. Furthermore, among those who do pursue these jobs, many feel compelled to leave them after a few years to move to the private sector or even non-legal employment where they can earn higher salaries.

It is also noteworthy that the approximations below are based on median law school debt only and do not include possible undergraduate debt. Lawyers from private law schools often graduate with more than \$100,000 in debt, requiring debt service payments that exceed \$1000 per month.

#### **Public Interest Attorney — Estimated Monthly Budget**

Approximate net income	\$2050	(based on \$35,000 annual salary)
Average debt service	- \$ 950	(based on 10 year repayment plan)
\$1100 Living expenses	\$1100	Living expenses
	- \$550	Rent*
	\$150	Utilities
	\$125	Transportation
	\$200	Food
	\$75	Insurance
REMAINING	\$0	

Source: Cost of living approximations are drawn from Loan Repayment Assistance Programs: Overview, Fall 2002, Equal Justice Works. Incomes are drawn from Starting Salaries: What New Law Graduates Earn, Class of 2001, NALP.

<sup>\*</sup> In many cases, rent is significantly higher, especially in more expensive urban areas.

<sup>&</sup>lt;sup>18</sup> Law Access Group, Inc.

#### Federal Government Attorney — Estimated Monthly Budget

Approximate net income	\$2625	(based on \$45,000 annual salary)
Average debt service	- \$ 950	(based on 10 year repayment plan)
	\$1675	Living expenses
	- \$550	Rent*
	\$150	Utilities
	\$125	Transportation
	\$200	Food
	\$75	Insurance
REMAINING	\$575	

Source: Cost of living approximations are drawn from *Loan Repayment Assistance Programs: Overview, Fall* 2002, Equal Justice Works. Incomes are drawn from *Starting Salaries: What New Law Graduates Earn, Class of* 2001, NALP.

<sup>\*</sup> In many cases, rent is significantly higher, especially in more expensive urban areas.



#### **How Graduates Decide Where to Work**

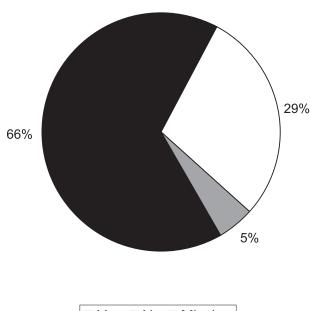
A variety of factors influence the career decisions of graduating law students, including the location of a job, quality of life, and the nature of the work involved. Yet, according to conventional wisdom, educational debt also influences career and employment choices. The following information adds support to this assumption, showing the degree to which educational debt is a primary factor in students' career decisions.



#### The Impact of Debt and Salary

Overall, 66% of respondents stated that law school debt keeps them from considering a public interest or government job. The percentage is higher among those who ultimately accepted jobs in small or large private firms, with 83% and 78%, respectively, stating that debt prevented them from seeking work with public interest organizations or the federal government. Seventy-three percent of students who had not yet accepted a job when surveyed also indicated that they were disinclined to seek a public interest or government position due to heavy debt load.

### Did Law School Debt Prevent Consideration of a Public Sector Career?



Public interest and government employers confirmed these student attitudes when asked to report on the difficulties they faced in attracting and retaining law school graduates as attorneys. In the Equal Justice Works/National Legal Aid & Defender Association survey, the vast majority of employer respondents cited low salaries (89%) and educational debt (88%) as the largest factors contributing to their struggle to hire talented attorneys. These same employers attributed their attorney retention problems to the same factors, with 92% indicating low salaries and 82% educational debt.<sup>19</sup>

# Debt as a Roadblock to Public Interest and Government Employment

Type of Future Employer	Percent who said law school debt prevented them from considering a public interest or government job
Private Practice fewer than 25 attorneys	83%
Private Practice more than 25 attorneys	78%
Business (legal or non-legal)	75%

#### The Lowdown on Loans

As shown below, student respondents frequently cited educational debt when commenting on the drawbacks to seeking public interest and government employment. <sup>20</sup> Among the major drawbacks cited by students:

"I wouldn't be able to pay back my loans and would wind up on welfare."

"Would love to but I don't think I can repay loans this way."

"Meager salary/high loan repayment."

"Possibility of no assistance with loan repayment."

"Unable to pay off current debts."

Almost all of the government respondents to the EJW/NLADA survey represented state and local governments and did not include enough federal agencies to allow for the survey to draw conclusions about the primary challenges the federal government faces in recruiting and retaining its lawyers. However, the challenges that state and local governments face are instructive in approximating the obstacles that the federal government must also overcome.

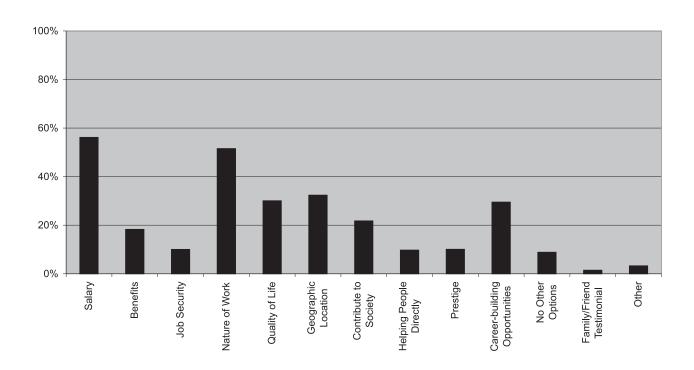
When asked about drawbacks to certain types of employment, respondents were given an "Other" option among multiple-choice answers that allowed them to expand on an answer of their choice.



#### **How Salary Impacts Job Choice**

With such high levels of debt, it is no surprise that one of the most frequently cited factors impacting job choice was salary. Fifty-six percent of respondents indicated it was one of the three most important reasons they decided to pursue a job, followed by "nature of work" (52%), "geographic location" (32%), and "quality of life" (30%).

#### **Factors Influencing Post-Graduate Employment**



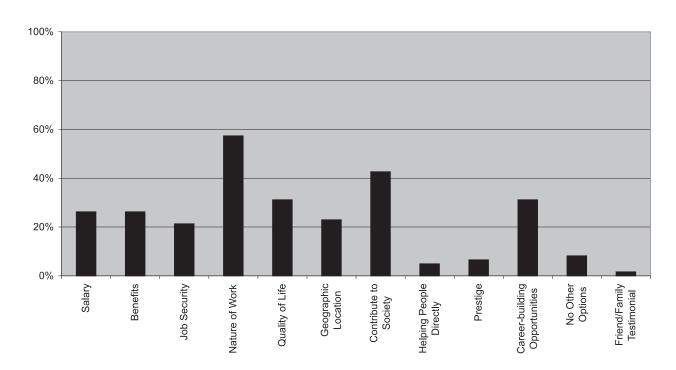




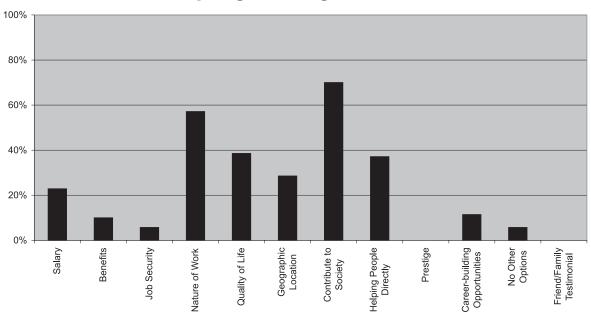
# Why Students Pursue Public Interest and Government Employment

Though respondents cited salary as a primary determinant in their job choice, its prominence as a motivating factor varies among respondents according to their initial career choice. For example, salary is not as important to those who intended to enter federal employment or civil legal services and nonprofits. Only 26% of respondents bound for federal service placed salary among the top three factors determining career choice. The percentage drops to 23% among those headed for civil legal services and nonprofits. "Nature of work" and the "opportunity to contribute to society" are the two most important reasons why students pursued public interest and government employment as the graphs below illustrate.

#### **Factors in Accepting Federal Agency Positions**



#### **Factors in Accepting Civil Legal Services Positions**

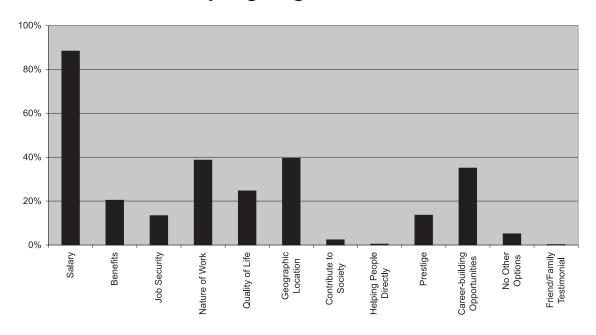


### \$55

#### Why Students Pursue Private Sector Employment

Respondents who intended to enter mid- to large-size law firms — a strong plurality of respondents at 45% — cited salary as an important factor in their decision to pursue a private sector job; 88% of firm-bound respondents placed salary among their top three factors. Only 39% of these same respondents indicated "nature of work" as one of their top three reasons for choosing their employer.

#### **Factors in Accepting Large Private Firm Positions**



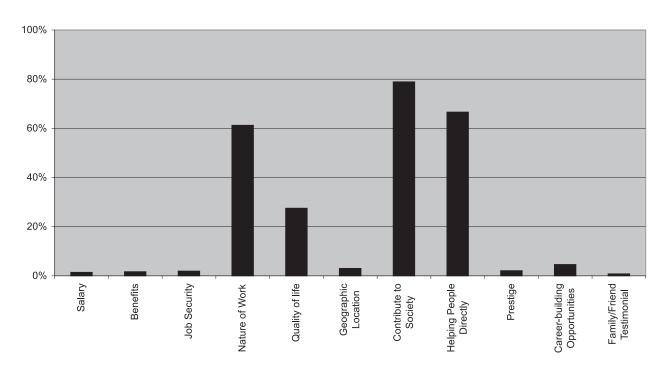


# Perceived Benefits of Public Interest and Government Employment

On the whole, respondents recognized the benefits of public interest and government work. Of note is the status afforded these benefits by graduates who ultimately chose not to pursue these avenues of employment. For example, those graduates entering large private firms cited "nature of work" *most* frequently when explaining the perceived benefits of federal employment, 59% recognizing it as one of the most appealing aspects of federal government work.<sup>21</sup> When assessing the benefits of civil legal services, these same graduates viewed the ability to "contribute to society and make a difference" (80%) and "help people directly" (63%) as the most appealing reasons to pursue these types of nonprofit positions.

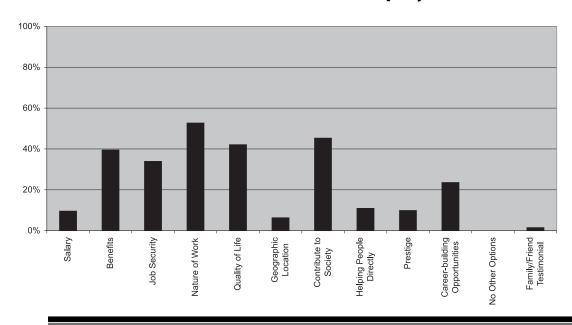
Not surprisingly, other respondents agreed. Overall, they rated "nature of the work" (61%), the ability to "contribute to society and make a difference" (79%), and the opportunity to "help people directly" (67%) as the strongest reasons for working in civil legal service and nonprofit organizations. When rating federal government employment, respondents cited "nature of the work" (53%), the opportunity to "contribute to society and make a difference" (45%), and the "quality of life" (42%) as the most appealing reasons to choose this career track.

#### **Benefits of Civil Legal Services Employment**



<sup>&</sup>lt;sup>21</sup> Respondents were asked not only to identify the primary reason they selected their own jobs, but also what they perceived as the most important benefits and drawbacks to working for other employers.

#### **Benefits of Federal Government Employment**



# The Benefits and Shortcomings of Federal Public Service

Law graduates often commented on the potential benefits of working in federal public service.

"... you might actually be able to contribute to positive, progressive change in society."

"Belief that I was needed for something important and useful."

Yet many respondents also noted the shortcomings of federal work:

"I have nine years in federal service already; it would be nice to be respected for this."

"I'd say contribute to society only I don't believe the Fed is the best place to do that."

When given the opportunity to comment on drawbacks to federal employment, respondents often cited the infamous but all too often mythical bureaucracy and "red tape" that is perceived as inherent to government work.

"Become a bureaucrat rather than a lawyer."

"Boring and low paying."

"I am unsure whether I would get the same level of job satisfaction."

"Institutionalization of malaise, incompetence and mediocrity."

"Application process — it's long and tedious."

"Dealing with bureaucratic culture, and job."

"Being subject to politics, dealing with an 'it's close enough for government' work ethic."

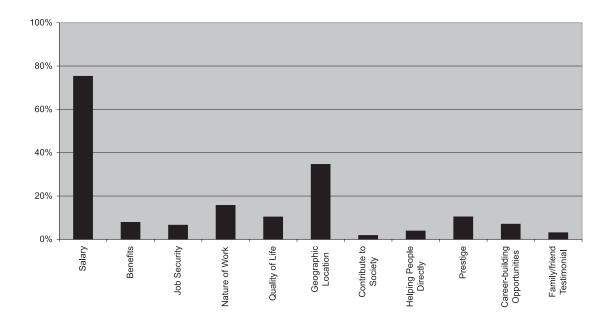


#### Perceived Drawbacks to Federal Government Employment

Despite an interest in the work and opportunities federal employment can provide, survey responses indicated a strong consensus among graduating law students regarding the drawbacks to federal employment. Respondents overwhelmingly cited salary as the biggest drawback, with 75% placing compensation among the top three reasons they would not want to work for Uncle Sam. Geographic location — at 35% — came in a distant second with other reasons trailing even farther behind.

Comments included in some survey responses provide more insight into the perceived shortcomings of federal work. Some respondents claimed there were no appealing reasons to work for the government while others cited "red tape" and "bureaucracy." Still others pointed to the politicized environment as a reason not to enter the federal service.

#### **Drawbacks to Federal Government Employment**

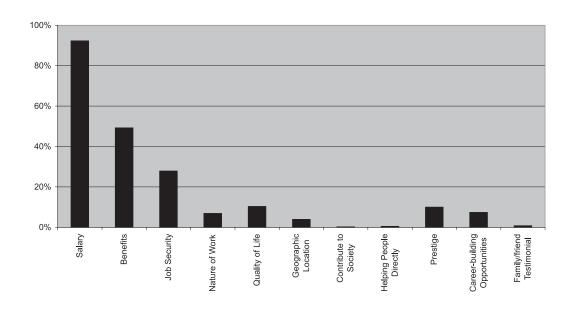




# Perceived Drawbacks to Civil Legal Services and Nonprofit Employment

Perceptions of public interest employment mirror those of federal employment. More than 92% of respondents cited salary as a drawback to working for public interest organizations. A distant second: 49% of respondents felt employee benefits (or lack thereof) in these jobs were a major drawback.

#### **Drawbacks to Civil Legal Services Employment**



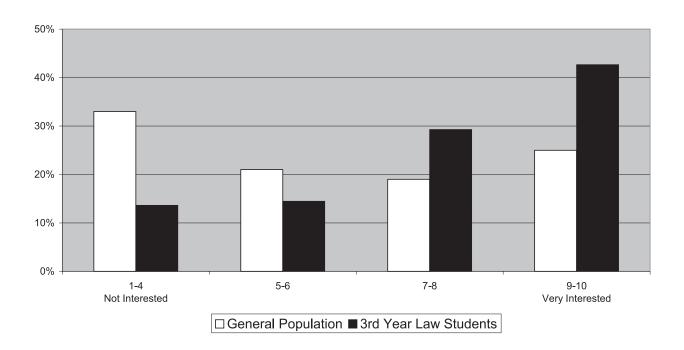


#### **Student Interest in Federal Government Employment**

Despite hesitations and concerns, interest in working for the federal government at some point remained strong among respondents.<sup>22</sup> In contrast to the general population, in which only 25% of respondents showed a significant interest in working for the federal government (measured as a 9 or 10 on a scale of interest from 1 to 10), in this survey 43% of respondents expressed significant interest in serving their country in this capacity.

Respondents joining the military's Judge Advocates General offices and graduates who intended to work for other federal, state, or local government agencies expressed the highest interest in federal service. Yet, graduates entering the private sector still conveyed some enthusiasm for this type of work - 36% of those entering large firms expressed significant interest in federal government service. Survey responses strongly suggest that law graduates find government service an attractive option and understand some of the benefits of a public service position. Yet, educational debt stands as a significant barrier to many law graduates' ability to pursue their interests and enter the federal civil service.

# Interest in Federal Government Employment: Third-Year Law Students vs. the General Population



<sup>&</sup>lt;sup>22</sup> The survey asked this question only in reference to federal government employment in order to compare the results to a survey of the general population commissioned annually by the Partnership for Public Service.

#### The Impact of 9/11

In the aftermath of September 11, a new interest in and respect for the functions of government developed among Americans. People saw their elected leaders and civil servants, whose efforts usually go unnoticed or suffer intense critical scrutiny, rise to the occasion and coordinate a massive emergency response. As a result, a new admiration evolved for all kinds of public servants, whether firefighters working for municipalities or scientists at the Centers for Disease Control and Prevention.

Unfortunately, while this focus instilled citizens with a new respect for government employees, it did not compel Americans to want to become public servants. As with military recruiting offices — which saw increased interest in military service following September 11 but eventually experienced very little in the way of increased enrollment — the nation did not experience an active movement toward public service.

According to a study commissioned by the Partnership for Public Service and conducted by Hart-Teeter Research, only 18% of Americans experienced an increased interest in federal service following the attacks, while 5% reported a decline in interest. <sup>23</sup> A more recent nationwide survey recorded no statistical change in these levels of interest. <sup>24</sup>

From Paper to Money Chase also asked graduating law students if, following the events of September 11, they were more or less interested in working for the federal government at some point in their career. Twenty-three percent reported an increased interest, only a slightly higher percentage than the general population. In line with respondents to the Partnership's Hart-Teeter survey, nearly 5% of students reported a decreased interest.

<sup>&</sup>lt;sup>23</sup> The Unanswered Call to Public Service: Americans' Attitudes Before and After September 11, a public opinion study commissioned by the Partnership for Public Service and conducted by Hart-Teeter Research, October 2001.

Partnership for Public Service Survey, a public opinion study commissioned by the Partnership for Public Service and conducted by Hart-Teeter Research, Hart-Teeter Research, September 2002.

#### The Public Interest and Government Employer Perspective

From Paper Chase to Money Chase focuses on law students, their economic realities and the impact of debt on their career choices, and their perceptions of public interest and government employment. Of equal importance, however, are the perspectives and feedback of public service employers. Are public interest and government employers having trouble recruiting and retaining attorneys? What factors contribute to their recruitment and retention problems? Except for studies done in a few states, organizations had only anecdotal evidence to answer these questions. Therefore, Equal Justice Works and the National Legal Aid & Defender Association administered the "Employer Recruitment and Retention Survey" in the spring of 2002. A summary of findings from this survey are provided below.

#### **Attorney Recruitment & Retention**

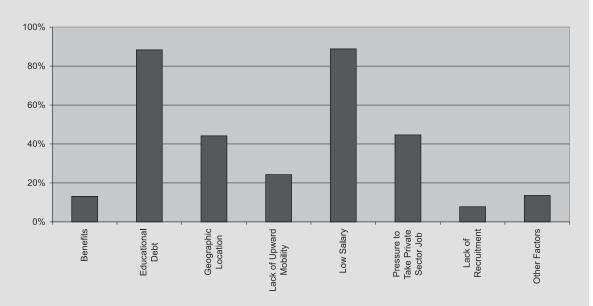
Across the country, public interest and government employers indicated difficulty recruiting and retaining attorneys. <sup>25</sup> Sixty-eight percent of respondents reported difficulty with attorney recruitment and 62% reported problems with attorney retention. With regard to recruiting lawyers into public interest organizations and state and local government, the vast majority of employers cited low salaries (89%) and educational debt (88%) as the largest factors contributing to this problem. Employers attributed retention problems to the same factors, with 92% indicating low salaries and 82% educational debt.

Although public interest and government employers identify other obstacles to recruitment and retention — including geographic location, pressure to take a private sector job, and lack of opportunity for upward mobility — none were noted as key obstacles by more than 45% of respondents.

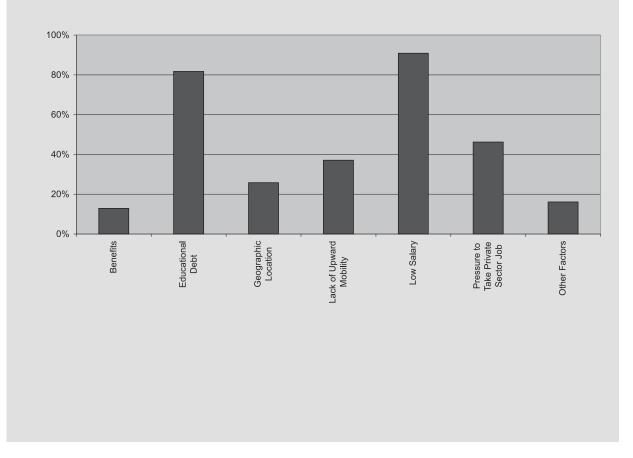
© 2002 — From Paper Chase to Money Chase: Law School Debt Diverts Road to Public Service

In this section only, the term "government employers" refers to state and local government organizations, including state/district attorney and public defender offices. There was not a statistically significant response to the Employer Recruitment and Retention Survey from federal government employers.

# **Public Interest and Government Employers: Factors Contributing to Recruitment Problems**



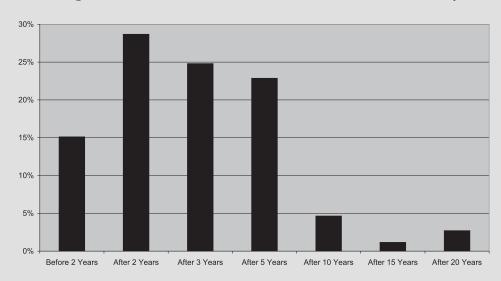
# **Public Interest and Government Employers:** Factors Contributing to Retention Problems



#### **Problems with Retention - Attorney Turnover**

Survey results indicate that it is increasingly difficult for public interest and government employers to retain attorneys. Forty-five percent of employer respondents expressed an increase in attorney turnover over the past several years. Additionally, attorneys do not remain in public service positions for very long. More than two-thirds of attorneys who leave public interest jobs (69%), do so within five years of beginning employment.

#### **Length of Tenure for Public Interest Attorneys**



#### **Public Interest and Government Salaries**

With the exception of data on starting salaries, data on public interest salaries is difficult to assess. How much do public interest and government employers pay their attorneys after three, five, and fifteen years? The Employer Recruitment and Retention Survey asked employers to report how much they pay their attorneys. <sup>26</sup> Overall, the data reflects the common belief that public service attorneys not only start at lower salaries than their private sector counterparts, but their salaries also increase at lower rates over time. For a detailed breakdown of these figures, please see Appendix II.

© 2002 — From Paper Chase to Money Chase: Law School Debt Diverts Road to Public Service

 $<sup>^{26}</sup>$  Employers reported the salaries they pay in ranges, from "less than \$25,000" to "more than \$60,000."

#### Methodology

Equal Justice Works and the National Legal Aid and Defender Association emailed a request letter, with a link to an electronic survey, to more than 2000 public interest and government employers including Legal Services Corporation (LSC) grantees, non-LSC Civil Legal Services, Legal Nonprofits, Public Defender Offices, State/District Attorneys and State Attorney Generals.

In total, 326 public interest and government employers responded from all 50 states and the District of Columbia, however, the term "government" as used in reporting the survey results above does not include the federal government due to a low response rate from federal employers to the survey. These responses could not be considered representative of all federal employers and thus were excluded.



### Current Efforts and Emerging Ideas

Despite the many hurdles facing law graduates who wish to enter public service, there are methods law schools and employers have applied in recent years to ease financial strains. These programs could provide a template for expanded efforts to deal with the challenge of law school debt.



#### Loan Repayment Assistance Programs

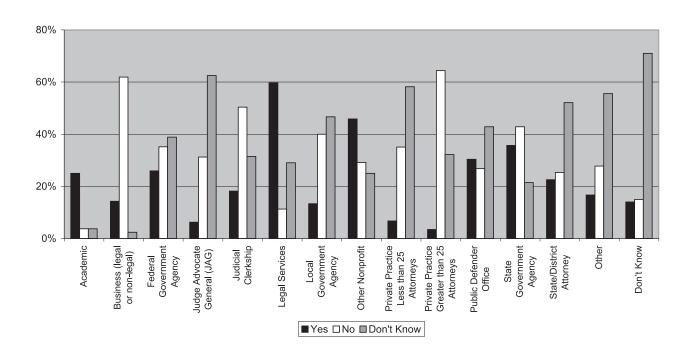
Some law graduates will be able to serve in public interest and government positions with help from an increasing number of loan repayment assistance programs (LRAPs). These programs typically assist graduates working in low paying public interest and government positions with their student loan payments. Law schools run most LRAPs; however, currently six states and more than 40 legal employers also offer some form of LRAP. All of these programs are designed to encourage law students to enter public service regardless of their educational debt.

Overall, 21% of respondents claimed they would apply for, or receive, some type of loan repayment assistance. Of these students, 66% hoped to receive that assistance from their law school LRAP. The number of people applying to LRAPs, however, varies according to a law student's decision on post-graduate employment. Among federal government bound respondents, 26% intended to apply for loan repayment assistance, 60% of those taking civil legal services jobs intended to seek the same. Thirty-six percent of future state government attorneys,

30% of future public defenders, and 23% of future state/district attorneys also planned to apply for loan repayment assistance.

Still, many respondents showed little awareness about hiring incentives, such as loan repayment assistance, signing bonuses, and moving allowances. In fact, only 25% of respondents bound for work in federal agencies indicated an awareness of such incentives. In contrast, a larger number of respondents (33%) entering the U.S. military's JAG Corps indicated awareness of federal loan repayment programs, suggesting that the JAG's outreach and use of employment incentives had some success in educating and attracting law school graduates.

### Percent of Graduating Students Seeking Loan Repayment Assistance (by Type of Employment)



#### **Number of LRAPs Increasing**

As educational debt prevents more attorneys from taking and remaining in public interest and government jobs, more entities are creating possibly the most viable solution to the problem: loan repayment assistance programs (LRAPs).

As of October 2002, 56 law schools, six states, and 40 employers offer LRAPs. Employers and schools designed these programs to encourage law students to enter public service regardless of their educational debt. However, the mere existence of an LRAP does not guarantee a graduate will be able to enter a public service job. Many programs are not adequately funded, or contain such stringent eligibility requirements that many public service attorneys are unable to qualify. To illustrate: while almost 50 law schools offered LRAPs in the year 2000, 70% of the total LRAP monies disbursed went to graduates of just six schools. The situation, however, is improving. Since the year 2000, eight law schools have created new LRAPs and several law schools have improved existing programs.

For more information about LRAPs please visit www.equaljusticeworks.org.



#### **Law School LRAPs**

Law schools administer the majority of LRAPs and implement them for many reasons, not the least of which is that the programs help schools fulfill their mission. Fundamentally, law schools are dedicated to improving society through the legal profession, and LRAPs help law schools to support this mission by making careers in public service possible for their students. Moreover, in today's world of increasing competition, many law schools recognize that LRAPs can enhance their ability to attract and retain desirable students; cultivate a diverse student body; preserve career choices for law graduates; and assist public interest organizations and government employers in recruiting and retaining lawyers.

Yet law schools have an additional incentive — to help their graduates. Schools may offer an LRAP as part of their financial aid package. Law school financial aid is often based on the assumption that students will be able to borrow large amounts of money and pay back their significant loan debt because attorney salaries are relatively high. For graduates in public interest and government jobs, this is not the case. Therefore, LRAPs are a type of back end financial aid that allows graduates to take lower paying jobs not otherwise possible.

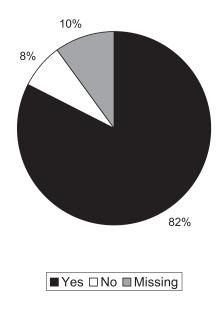
<sup>&</sup>lt;sup>27</sup> Financing the Future: NAPIL's 2000 Report on Law School Loan Repayment Assistance and Public Interest Scholarship Programs, 2000.



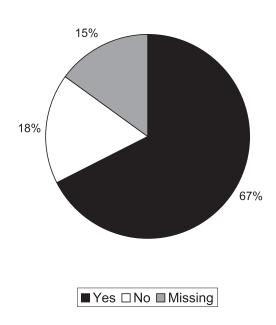
#### **Employer Loan Repayment Assistance**

While the number of LRAPs available is growing (see "Number of LRAPs Increasing" on previous page), only 13% of public interest employers reported offering some type of loan repayment assistance to attorneys. Yet, of those employers that offer some type of loan repayment assistance, the vast majority (82.5%) said it is an effective recruitment tool. Almost as many of these employers (76%) said it is an effective retention tool.

#### Do Employers Feel LRAPs Are an Effective Recruitment Tool?



#### Do Employers Feel LRAPs Are an Effective Retention Tool?



Even if many employers do not offer their own LRAP, they are aware that their attorneys benefit from LRAPs offered by other entities; forty-two percent report that their attorneys receive some sort of loan repayment assistance from other sources. However, the impact of such programs on recruitment and retention is not as great when third parties administer LRAPs. Compared to the 83% of employer respondents that pointed to their own LRAP as an effective recruitment tool, only 56% said that they were better able to recruit attorneys that *receive* assistance from another entity. Only 50% of public service employers said they are able to better retain an attorney who participates in another entity's LRAP — far fewer than the 76% of employers that found their own LRAP to be an effective retention tool.



#### Federal Loan Repayment Program

In 1990 Congress passed a law authorizing the use of loan repayments as incentives in federal workforce recruiting and retention. The law allowed for loan repayment assistance of up to \$6,000 per year, with a maximum limit over time of \$40,000. In order to receive this repayment assistance, graduates had to commit to a three-year term of service.

Unfortunately, no immediate action was taken when Congress granted this new authority. In 2000 the federal Office of Personnel Management (OPM) finally wrote regulations for the authority. Since OPM released these regulations many agencies have moved forward with the program, writing their own specific regulations. Though designing specific programs has delayed the use of the authority, a small number of agencies have actually awarded loan repayments. For example, four agencies used the authority in 2001-2002, though they provided repayment to only eight employees. Expanded use of the program as part of larger recruiting and retention efforts would benefit all current and potential federal employees, and could have a particularly profound impact on the recruitment and retention of attorneys into the federal workforce.

<sup>&</sup>lt;sup>28</sup> Health and Human Services, the General Services Administration, and NASA each provided loan repayments to one new hire. The Department of Energy provided repayments to five.



As this report shows, the pressures of mounting law school tuition and law student debt, along with the comparatively lower salaries and flat earnings potential among public interest and government employers, have combined to put public service oriented law school graduates in an impossible position. As they consider their career options, those graduates who are interested in working in the public service sector often cannot pursue their goals because educational debts constrain them. Without concrete and specific action now, public interest and government employers will continue to lose new recruits and experienced attorneys to the higher salaries of the private sector — a situation that could soon magnify into a crisis for the United States legal community. There is reason for hope, however, in the form of programs that will help alleviate educational debt for law school graduates who choose public service careers.

Therefore, Equal Justice Works, the Partnership for Public Service, and the National Association for Law Placement propose the following recommendations as ways to address the problem of law school debt and its impact on public service careers:

#### ■ Increase and Improve LRAPs

- Increase the number of school-based LRAPs. Schools that do not have LRAPs should create their own school-based programs. In addition to helping provide an important community and national service, schools would be removing obstacles that prevent their graduates from pursuing public service careers.
- Improve existing LRAPs. Schools with existing LRAPs should strengthen them.
   While many schools have instituted LRAPs over the past decade, a mere six schools still provide the majority of loan repayments nationwide. A successful law school LRAP can provide meaningful debt relief to graduates, allowing them to take and to remain in public service jobs.
- Increase the number of public interest employers who offer LRAPs. Public interest employers who do not already have LRAPs should research the possibility of starting their own employer-based programs. Several employers offer such programs as a standard benefit, similar to health insurance or a 401k. These programs can be costly, but, as this survey shows, the vast majority of employer respondents report that their LRAP is an effective recruitment and retention tool.
- Public Interest employers should lobby schools to create LRAPs. Public interest
  employers in need of critical talent should lobby nearby law schools to create or
  improve LRAPs. When contemplating one of these programs, law schools often
  want and need information about local employment trends and input from local
  public interest and government employers to determine whether an LRAP would
  be helpful.

- Aggressive implementation of loan repayment assistance programs in federal agencies. The U.S. Office of Personnel Management (OPM) should encourage the use of loan repayment assistance programs as a recruitment and retention incentive and agencies should institute guidelines and request funding to create such programs. Furthermore, Congress should provide appropriations for these incentives and should pass the Generating Opportunities by Forgiving Education Debt for Service (GOFEDS, S. 1817 and H.R. 3893), which would make government loan repayments non-taxable.
- Create scholarship programs. Schools should reach out to alumni who are concerned with public interest/public service law in an effort to raise funds to create scholarship opportunities particular to career tracks. Schools can find models for such programs in New York University's expansion of the Root Tilden Kern scholarship program, which encourages graduates to enter public service law positions, and Harvard Law School's Heyman Fellows program, which assists with loan repayments for graduates who enter the federal government.
- Document recruitment and retention problems. Public interest and government employers should do their utmost to document the challenges they face in recruiting and retaining dedicated lawyers, particularly as these challenges relate to problems that new attorneys experience in trying to manage large amounts of debt. In this survey, only 21% of public interest and government organizations reported capturing hard data about how law school debt impacts recruitment and retention. Employer-specific data is crucial to resolving this issue. Information about recruitment and retention problems can assist when seeking funding for an employer-sponsored LRAP, campaigning to start an LRAP at a local law school, or obtaining additional funding for salary increases.
- Improve communication and outreach to campuses. Public service employers, especially the federal government, can engage in more and better outreach activities on law school campuses in order to dispel many of the myths surrounding employment opportunities in the public service sector. While some assumptions regarding federal opportunities are warranted (they do generally pay less than other legal employers) others are inaccurate. For example, lawyers who begin their careers working in a federal agency often find their work satisfying and rewarding. Yet, misperceptions of rampant bureaucracy and "red tape" dissuaded many respondents from considering federal employment.



Equal Justice Works, the Partnership for Public for Public Service, and the National Association for Law Placement sent an email request to career counselors at 184 ABA approved law schools requesting that they send a weblink to all of their third year students with an explanation letter regarding the survey. This message had a potential to reach approximately 37,900 third year students at these schools.<sup>29</sup> The students could then click on a link and answer the survey through the website, submitting their responses.

1,622 graduating law students from 117 law schools responded to the survey. These law schools represented 40 states, plus Washington, D.C. and Canada, and included both public and private schools, and regional as well as national schools.

The demographic characteristics of the respondents are shown in the table on page 42. Overall, the demographic profile of this survey's respondent pool mirrors that of third-and fourth-year students enrolled in law schools during 2001-2002, but it is not a representative sample. There is a somewhat disproportionate share of women in the respondent pool -64% versus 48% of the national class.

The survey permitted respondents to designate themselves as belonging to more than one race/ethnicity. Because of this, the total number of responses on which percentages are based exceeds the number of respondents who provided race/ethnicity information (1,496 of the 1,622 respondents). Approximately 4% of respondents who provided race/ethnicity information reported more than one race/ethnicity.

<sup>&</sup>lt;sup>29</sup> In 2001, 37,900 students graduated from the 184 ABA-accredited law schools.

<sup>&</sup>lt;sup>30</sup> ABA-LSAC Official Guide to ABA-Approved Law Schools — 2003 Edition, American Bar Association and Law School Admission Council, Inc, 2002.

# Respondents by Age, Gender, Race/Ethnicity

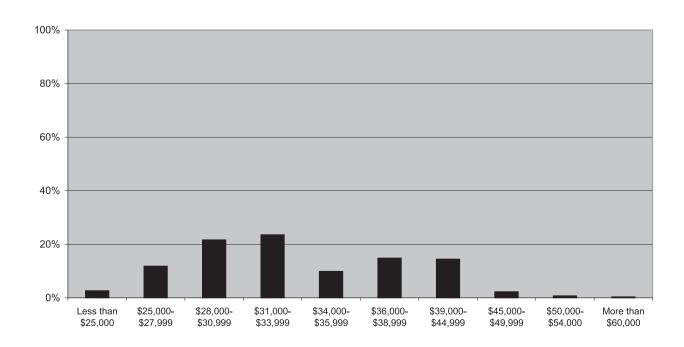
Age	Valid Percent
18-24	15.7%
25-29	55.2%
30-34	17.2%
35-39	5.9%
40+	5.9%
Gender	Valid Percent
Men	37.1%
Women	62.4%
Race/Ethnicity	Valid Percent
Race/Ethnicity  Asian/Pacific Islander	Valid Percent 4.9%
Asian/Pacific Islander	4.9%
Asian/Pacific Islander East Indian/Pakistani	4.9%
Asian/Pacific Islander  East Indian/Pakistani  Black or African-American	4.9% 1.2% 6.8%
Asian/Pacific Islander  East Indian/Pakistani  Black or African-American  Native American	4.9% 1.2% 6.8% 2.0%

Note: 74 respondents did not indicate age; 123 respondents did not indicate gender; 126 respondents did not indicate their race/ethnicity; 489 respondents did not provide the name of their law school.

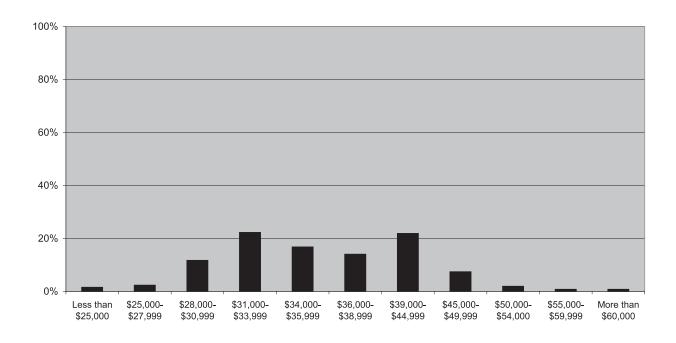


### Appendix II: What Public Interest and State and Local Government Employers Pay Attorneys

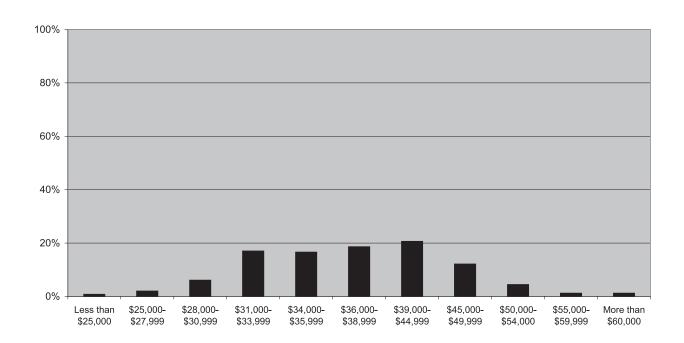
### What Public Interest and State and Local Government Employers Pay Entry-Level Attorneys



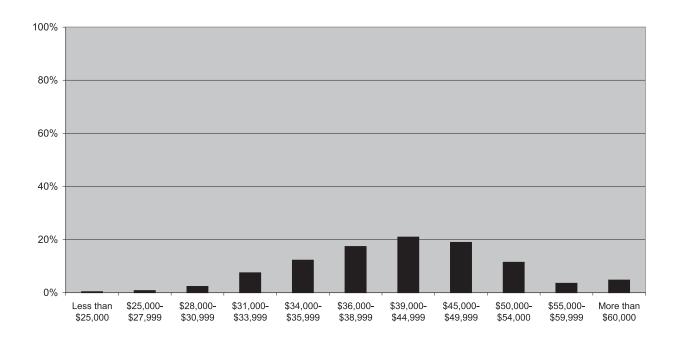
#### What Public Interest and State and Local Government Employers Pay Second-Year Attorneys



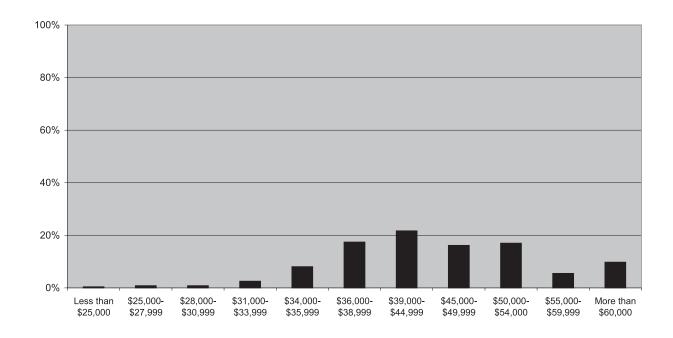
# What Public Interest and State and Local Government Employers Pay Third-Year Attorneys



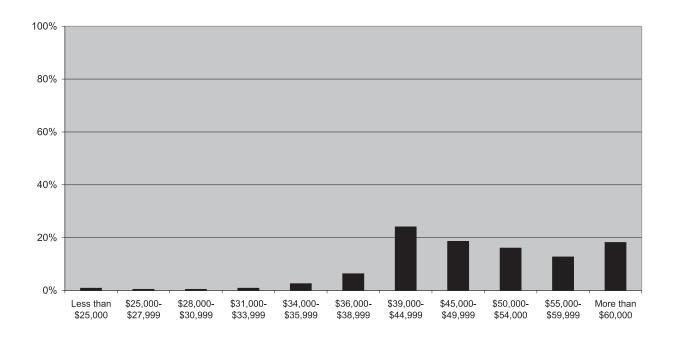
# What Public Interest and State and Local Government Employers Pay Fifth-Year Attorneys



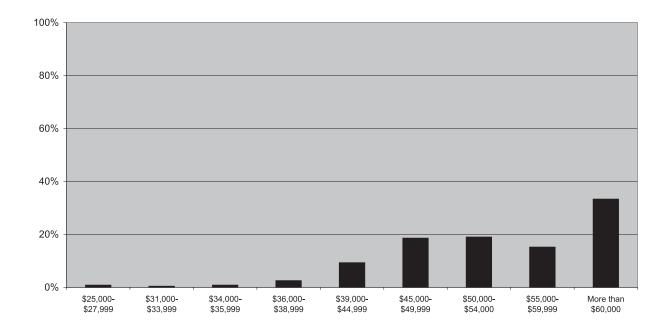
# What Public Interest and State and Local Government Employers Pay Seventh-Year Attorneys



#### What Public Interest and State and Local Government Employers Pay Tenth-Year Attorneys



# What Public Interest and State and Local Government Employers Pay Fifteenth-Year Attorneys



# What Public Interest and State and Local Government Employers Pay Twentieth-Year Attorneys

