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LEGAL SERVICES IS ALIVE AND WELL--
IN THE FIELD

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This article is part of a larger study of the careers of lawyers in legal services and other legal rights organizations, under the direction of Joel F. Handler, Ellen Jane Hollingsworth, and Howard S. Erlanger. We wish to acknowledge the assistance of national and regional Legal Services offices in all phases of this study. Without their cooperation, the study could not have been undertaken. We are also indebted to Anna Wells for her assistance. The research reported here was supported by funds provided to the Institute for Research on Poverty at the University of Wisconsin-Madison by the Office of Economic Opportunity pursuant to the provisions of the Economic Opportunity Act of 1964. The opinions expressed are those of the authors.

ABSTRACT

Despite the charges and countercharges about the Office of Economic Opportunity's Legal Services programs in the last several years, little is known about the program from the viewpoints of the lawyers involved. Using data based on a random sample of Legal Services lawyers drawn from two points in time (1967 and 1972), this paper shows that, contrary to criticism, the amount of law reform work has increased slightly over time, rather than declined. Furthermore, it reports that attorneys like their Legal Services jobs and evaluate their programs very favorably, and that despite fairly rapid turnover of lawyers, those attracted to Legal Services continue to be of high caliber. Data about the work of lawyers--community, court, and government-agency work--are presented, as well as information about amounts and types of pressures lawyers feel.

LEGAL SERVICES IS ALIVE AND WELL--IN THE FIELD*

I. Introduction

The Legal Services Program was the War on Poverty's effort to secure justice for the poor. In its early days, the program achieved great success: it received good publicity, grew, attracted young recruits, built caseloads, and developed law-reform cases. It also survived the demise of OEO. Despite the strenuous efforts of its enemies to kill or emasculate the program, its supporters continue to rally to its defense. The program lives, but how well? The great political controversies have taken place at the national level. It is claimed that, at the field level, the battle for the preservation of the program has been lost; that it has been converted from a powerful engine of social reform on behalf of the poor to traditional legal aid; and that, because of this change, it no longer attracts the cream of the young legal talent. Morale is said to be low, working conditions poor, work shoddy, and turnover high.

In this paper, we will be concerned with these questions. First, we want to know what kind of activity legal services lawyers are doing--the kinds of clients they serve, the types of problems they deal with, and the legal services they perform. We are concerned with the mix of law reform and service cases. Have these activities changed over time? Is it true that Legal Services has been converted to traditional legal aid? In addition to activities, we shall be concerned with the lawyers. How do the lawyers themselves view their working conditions; why did they join Legal Services and why do they

leave? Have job satisfaction and morale changed over time? Have recruitment patterns changed?

The data for this paper are based on interviews of a random sample of lawyers who were in Legal Services programs in 1967 and 1972. The interviews were conducted in the fall of 1973.¹ At that time, there were approximately 265 neighborhood Legal Services programs, employing 2000 lawyers. The lawyers in our sample were distributed as follows: Northeast, 29.1 percent; North Central, 28.6 percent; South, 17.7 percent; and West, 24.6 percent. In our sample, over one-third (36 percent) of the lawyers were in programs that were either rural, statewide, or in cities with fewer than 100,000 persons; 40.6 percent were in cities with populations between 100,000 and 600,000; and 23.4 percent were in cities with populations of more than 600,000. Both geographical and city-size distributions of the sample are fairly comparable to the actual distribution of Legal Services lawyers.

II. The Work of the Offices

The principal areas of activity for Legal Services lawyers were family, consumer, housing, and welfare law. 1 shows that, in 1972, as in 1967, these four areas accounted for almost 80 percent of the activity of the lawyers, although in 1972 some other areas claimed some attention (employment, juvenile). There were, however, shifts within these areas. In 1967, family matters accounted for 30.4 percent of the lawyers' work; in 1972, the family category dropped to about 21.7 percent. At the same time, welfare and housing activity rose.²

TABLE 1.
TYPES OF WORK DONE BY LEGAL SERVICES LAWYERS, 1967-1972
(in percentages)

	1967	1972
Family	30.4	21.7
Consumer	24.1	21.6
Housing	18.2	23.3
Welfare	6.2	12.2
Employment	2.9	5.3
Juvenile	2.0	4.6
Criminal	4.4	.5
Others mentioned (each less than 2 percent)	11.8	10.8
	<hr/> 100.0	<hr/> 100.0

What accounts for this shift over time? There are a number of possible explanations. Legal problems dealing with the family are not susceptible to solution merely by the passage of time; a separated couple must get a divorce if either spouse is to remarry. Consequently, one would expect a backlog of families with marital problems waiting for legal services. However, with consumer, housing, and welfare problems, those involved can use nonlegal, self-help solutions or make other adjustments; so these problems tend to disappear over time. Goods are repossessed, tenants are evicted, applicants are denied relief; although there may be suffering and injustice, problems get solved without lawyers. This difference, then, between family law problems and other problems could explain the gradual decline of family law matters as legal services continued; the backlog would gradually get unjammed.

Another reason could be the adverse publicity that Legal Services received as a result of handling a large number of divorces. Part of the controversy about Legal Services had to do with its being identified as a publicly supported divorce mill. Traditional legal aid, prior to the advent of OEO Legal Services, also suffered from this kind of attack. Charitable legal services were supposed to be for the deserving poor for worthy ends; divorce was never considered a proper object of charity, and very few legal aid offices would handle divorces, except under exceptional circumstances. To a considerable degree, these attitudes carried over to OEO Legal Services. The national office and many neighborhood offices were sensitive to the divorce-mill charge and pressure was exerted to hold down the number of divorces. This also may have accounted for the proportionate decline of family law matters as an area of activity.³

Type of work did not vary much from one region of the country to another. Programs in larger cities reported more work with housing problems, but other types of work did not vary with city size. Both housing and welfare work were more commonly reported in the Northeast than in any other area, but there were no relationships between geographical area and consumer, marital, or other types of work.

There was some specialization in Legal Services programs. About 70 percent of the lawyers questioned mentioned a specialty; the most common ones, by far, were welfare, family, consumer, and housing. Lawyers with specialties spent about one-third of their time in their specialty.

One of the great controversies in Legal Services has had to do with service work as compared to law reform work. The early national directors, Clinton Bamberger and Earl Johnson, stressed the law reform role of Legal Services; this would distinguish Legal Services from old-style legal aid. Law reform was also the main reason for the rise in the political difficulties of Legal Services. It is now said that law reform has been drastically reduced in Legal Services and that this is one of the major reasons for the supposed decline in the program.⁴

According to the reports of Legal Services lawyers, there was not a great deal of change in the distribution of time between service and law reform work between 1967 and 1972; in fact, there was even a slight increase over time. The lawyers were asked how they and their office's divided their time between these two activities. In 1967, the average time reported for offices was 21 percent; in 1972, the percentage was 24.6. As to the lawyers' distribution of time, we note the same trend. In 1967, the average proportion of time the lawyers report having spent

in law reform work was 25 percent; in 1972, it was 31.2 percent. For both the offices and the respondents, common knowledge proved wrong; if there was any change, it was in favor of more law reform, rather than less. Also in 1972, more Reggies were available to Legal Services programs. Reginald Heber Smith Fellowship recipients spent more time in law reform work than did other Legal Services lawyers (39.5 percent of their time). One of the various purposes of the Reggie program was to foster law reform, in some instances by providing through Reggie fellowships an additional attorney or two who might concentrate on law reform work.

The line between law reform and service work is not distinct; moreover, our data rely on classification by the respondents themselves. In this connection, it is interesting to note that the respondents, overall, said that they were doing more law reform work than were their offices. We cannot say how much law reform is going on in fact in Legal Services. On the other hand, how the lawyers themselves classify their work is important for issues of job satisfaction, morale, and recruitment, matters that we take up shortly.

In what areas did law reform activity take place? Lawyers report that the bulk of their own activity (58.6 percent) was spent on consumer, welfare, and housing, in that order. Law reform activity in welfare would be on behalf of welfare rights organizations against state welfare departments; in housing, on behalf of tenant organizations against landlords and housing authorities; in consumer, against merchants and other business persons.

Lawyers were much more likely to mention welfare in connection with law reform than with service work. But the biggest difference was

TABLE 2.

TYPES OF LAW REFORM WORK DONE BY LEGAL SERVICES
OFFICES AND BY LEGAL SERVICES LAWYERS:
1967 and 1972

(in percentages)

	For Offices		By Legal Services Lawyers	
	1967	1972	1967	1972
Welfare	23.0	24.4	20.3	18.1
Housing, public housing, urban renewal	19.1	11.5	23.0	16.1
Landlord-tenant	8.0	9.8	8.6	8.3
Consumer affairs law	17.9	16.7	13.5	16.1
Education	3.7	7.7	3.5	6.2
Family	4.2	1.7	4.6	2.6
Employment practices, discrimination	2.2	4.3	1.7	5.2
Prison reform	2.1	3.0	1.5	4.2
Civil rights, desegregation, civil liberties	1.3	4.3	1.0	4.2
Juvenile	5.0	3.8	6.3	4.2
Mental health, health	.6	2.6	.4	2.1
Other areas mentioned, but each less than 2 percent	12.9	10.2	15.6	12.7
	100.0	100.0	100.0	100.0

in the family law area; although this area accounted for a great deal of service work, there was very little law reform effort in it.

Although the proportion of law reform work as reported by the lawyers was high (30 percent, on the average) and probably increased somewhat, rather than declined, over the years, we need to know what the distribution of law reform work was among the various programs. According to popular accounts, most of OEO Legal Services offices did only service work and just a few, elite offices did the law reform work.

Legal Services national and regional directors were asked to rate the programs as "excellent," "medium," or "poor." We also compared the directors' ratings with evaluation studies of OEO Legal Services and found that there was a fair amount of congruence.

There was a direct relationship between the quality of the program (by these measures) and the amount of law reform activity reported by the lawyers both for the offices and for themselves. If we look at the lawyers working in programs in the "excellent" category, we find that the proportion of time spent in law reform is considerably greater than that spent by lawyers in other programs or than the national average. In 1967, for example, the percentage of time spent in law reform for excellent programs was 33.3; for medium programs, 18.7; and for poor programs, 14.1. In 1972, the percentage of time devoted to law reform work in programs categorized as excellent was 27.8; as medium, 24.0; as poor, 17.7.⁵

But only 10 percent to 15 percent of the 1967 programs were rated excellent; by 1972, about 35 percent of the programs were rated excellent, and the differences in the amount of law reform work among programs of different quality were considerably less. Over time, excellent

programs have reduced the percentage of time spent in law reform work, and medium and poor programs have increased their law reform work.

In 1967, about the same amount of law reform was carried on in cities of all sizes and in all geographical regions. The organizations that had been in existence prior to the initiation of OEO funding did more service work than did the new organizations (74 percent versus 81 Percent), but the difference was not large. By 1972, these patterns had shifted only slightly: Service time was slightly lower in the largest cities (72 percent versus 76 percent), and somewhat higher in the South (81 percent versus 72 percent in the Northeast and West). What is clear is that over time, law reform work has become common throughout programs and not confined to a few--that, whereas, programs newly established with OEO funding were somewhat more attuned to law reform work, neither city size nor geographical region had much affect on its amount.

The important finding is that, nationwide, the percentage of law reform was fairly uniform, at least as far as the participants were concerned; almost one-third of their time, on the average, was spent in what they consider to be law reform work, and this amount has not only not declined over the years, but may have even increased slightly.

During the 1967-1972 period, strategies other than law reform and service have been highlighted by national and regional directors-- community organization, economic development, legislation, and lobbying. Some have argued that law reform is an inappropriate strategy in that it is not concerned with building a power base and that community organization would be a far more fruitful line of endeavor in ensuring the access of the poor to the legal system.⁶ On the other hand, community organization is time-consuming, requires the use of skills not

particular to the training of lawyers, and may incur hostility from local groups. Efforts to promote such activities have not been extensive; for the most part, the debate has remained between service work and law reform.

Legal Services neighborhood lawyers were asked:

"In community work, how many hours a month--if any--do you personally spend

- a. speaking to neighborhood client groups?
- b. helping organize client or neighborhood groups?
- c. counseling, for example, about welfare or consumer problems?"

The distribution of the replies of lawyers to this question is shown in 3. As the table indicates, about one-half of the lawyers did no organizing at all. Lawyers were more likely to report speaking to neighborhood client groups or counseling. On the other hand, the time spent in these activities is not inconsiderable: average number of hours per month speaking, 4.1 hours; in organizing, 4.5 hours; and in counseling, 8.5 hours. An average, then of 17.0 hours per month per lawyer went into such community activities.

Reggies did more community work than did other Legal Services lawyers, speaking to client groups 5.1 hours per month, organizing 6.8 hours per month, and counseling 14.5 hours per month for a total of 26.4 hours per month. This total is about 50 percent more time than Legal Services lawyers spent on the average, another indication of the special mission of the Reggie fellows. Community work in 1967 was somewhat greater than in 1972, 21.4 hours per month compared with 17.0 hours. Furthermore, there was a change in the kind of community work that was being done; in 1967, there was more speaking to client groups (7.2 hours versus 4.0 hours) compared to counseling, which

TABLE 3.

DISTRIBUTION OF 1972 LEGAL SERVICES LAWYERS BY NUMBER OF
HOURS PER MONTH SPENT SPEAKING TO CLIENT GROUPS
ORGANIZING CLIENTS, AND COUNSELINGS

(in cumulative percentages)

Hours per Month	Speaking	Organizing	Counseling
None	27.43	45.40	31.2
1-10	90.3	89.1	75.0
11-20	99.4	96.6	88.6
21-40	100.0	99.4	97.2
41-74	-	99.9	99.4
More than 74	-	100.0	100.0
(n)	175	174	176

remained the same. There are two likely explanations for the change. In 1967, the programs were newer and more introductory public relations work was needed; there was less of a need when offices became inundated with cases. In addition, as the political troubles of Legal Services increased, lawyers might have been more reluctant to speak rather than to counsel; counseling is lawyer's work whereas speaking is more akin to political activity.

Not unexpectedly, there is an inverse relationship between the three kinds of community work and service work; the more service work a lawyer reports doing, the less community work he or she will report. When we look at the offices in terms of the directors' ratings, we find a consistent relationship between community work and reputed quality of program; that is, lawyers in offices that did more law reform work also did more community work. On the whole, though, community work was never a significant part of OEO Legal Services, even in the elite offices, and most of community work consisted of counseling, rather than organizing or speaking.

Most of the work, then, in Legal Services was service work. The average number of open files, for all of the lawyers, was 100.7; this varied, though, with how much law reform work was being done (4). There was a trade-off--the more law reform, the smaller the number of open files. (5). Reggies handled fewer cases, averaging 79 files. The offices that received the highest marks from the regional and national directors were able to do both law reform and a high volume of service work.

Since 2000 Legal Services lawyers averaged 100 cases at a time, it is reasonable to estimate that at any given time Legal Services lawyers are handling about 200,000 cases. We do not know the number of

TABLE 4.

DISTRIBUTION OF LAWYERS ACCORDING TO NUMBER
OF OPEN FILES (AVERAGE)

(n = 173)

Number of Files	Percentage of Lawyers
None	2.3
1-49	17.9
50-100	31.8
101-174	26.6
175 or more	21.4
Total	100.0

TABLE 5.

RELATIONSHIP BETWEEN PERCENTAGE OF TIME IN SERVICE
WORK AND NUMBER OF OPEN FILES

(n = 167)

Time in Service Work (in percentages)	Average Number of Open Files
20 or less	42.4
21 - 40	66.1
41 - 60	81.2
61 - 80	102.4
81 - 100	121.4

clients, but other sources have estimated about 900,000 clients served per year.⁷ This would mean that, on the average, a file stayed open three months.

Nationwide, most of the clients of Legal Services were white, followed closely by blacks; far fewer Chicanos, Puerto Ricans, and Native Americans are served. The racial and ethnic composition of the clients, of course, varies with the location of the office. The clients in the smaller cities and rural areas are white; in the large urban centers, they are mostly black; in the Southwest and Southern California, Chicano; and in New York City, Puerto Rican. (See 6). New York City lawyers, for example, said 32 percent of their clients were Puerto Rican.

Legal Services lawyers go to court. Two-thirds of the lawyers report spending more than 20 percent of their time in court; moreover, the proportion of lawyers spending this amount of time in court has increased substantially since 1967. Why would there be this increase? With the decline in family law matters, one would have expected a decline in court cases. We think the answer lies in the gradual shift from traditional legal aid to Legal Services. One of the criticisms of legal aid was the lack of court work.⁸ In the initial funding of OEO Legal Services, many legal aid offices were funded. Perhaps old ways of doing business persisted. As newer programs were funded, or as former legal aid programs recruited new personnel, there would be a proportionate rise in litigation.

Court time was related to service work; the more service work, the more time spent in court. (7). This meant that the bulk of the court time was spent in the lower state and local courts. Only about 20 percent of the courts that lawyers mentioned were federal courts or the state appellate courts. (8).

TABLE 7.

RELATIONSHIP BETWEEN PERCENT OF TIME IN SERVICE
WORK AND SPENDING SUBSTANTIAL TIME IN COURT

(in percentages)

(n = 116)

Time in Service	Lawyers Spending Substantial Time in Court
60 or less	51.0
61 - 80	71.1
81 - 100	77.6

TABLE 8.
TYPES OF COURTS IN WHICH LEGAL
SERVICES LAWYERS SPENT TIME
(in percentages)

	Courts Mentioned*
State and county trial courts, including family, juvenile	57.5
Municipal, small claims	14.6
State appellate courts	6.2
Federal district courts	10.8
Federal appellate courts	2.9
Other	8.0
	<hr/> 100.0

*Courts mentioned only by those spending
substantial time in court

Legal Services lawyers also deal with government agencies; 86.7 percent report spending some time with government agencies, and 63.4 percent report a substantial time (more than 20 percent). As with court time, time spent with government agencies also increased between 1967 and 1972. One reason for this is that welfare, as a proportion of caseload, doubled in the five years. Almost one-half (47.9 percent) of all the agencies mentioned by lawyers spending a substantial amount of time before government agencies were welfare or related agencies (Social Security, social services). (9). Despite the large volume of housing cases, only 12.2 percent of the agencies mentioned were housing authorities, indicating that, probably, most housing matters are against private landlords.

The conclusion that emerges from the data on work activities is that Legal Services lawyers, on the average, are busy; they handle at any one time about 100 open cases, primarily in family law, consumer, housing, and welfare. This is not only office work. The lawyers spend a substantial amount of time in court and before government agencies. In addition, their work is not all routine. The lawyers consider that about one-third of their time is spent on law reform work.

III. Job Satisfaction and Morale

Lawyers in Legal Services in 1972 liked their jobs and thought well of their programs. Almost 90 percent said that they were either satisfied (59.3 percent) or very satisfied (27.9 percent) with their jobs. Without doubt, the most important reason for their satisfaction was their estimation of the quality of their programs. Among the 1967 Legal Services lawyers, the replies were essentially the same. As 10 shows, about 70 percent of the 1972 respondents said that their

TABLE 9.

TYPES OF GOVERNMENTAL AGENCIES WITH WHICH
LEGAL SERVICES LAWYERS DEALT

(in percentages)

	Agencies Mentioned*
Welfare agencies, social service departments	33.4
Social Security	14.5
HUD, Model Cities, housing authorities	12.2
Unemployment offices, commissions	8.2
Prison authorities	2.4
Other federal agencies, including Bureau of Indian Affairs, HEW, OEO, Dept. of Justice	9.4
City, county government	2.1
Local, state law enforcement, district attorney, prosecutor	1.5
Other state agencies	7.9
Other county, local agencies (school board, Selective Service)	6.1
Other (public service commissions, state legislatures, labor relations)	2.3
	100.0

*Mentioned only by those spending substantial time

programs were either very good (41.1 percent) or excellent (28.6 percent); only 7 percent said their programs were only fair or poor. There was some variation in these responses. Lawyers in large cities were somewhat more favorable in their judgments than lawyers in smaller cities and rural areas; programs in the Northeast and West were rated slightly higher than those of the North Central area and the South. Programs that were rated higher by the regional directors also received higher marks from the Legal Services lawyers. The most important determinant in program evaluation, however, had to do with the amount of time spent in law reform work; lawyers who spent proportionately more time in law reform were inclined to view their programs more favorably than lawyers who spent more time in service work. One should not get the impression, however, that only lawyers who did mostly law reform work rated their programs as excellent; lawyers in excellent programs still spent an average of more than 60 percent of their time in service work.

Those favorable attitudes did not reflect programs without stress. In 1972, the first effort to form an independent Legal Services Corporation had failed, and the program was still under heavy attack for too much concern with class action and law reform work. Fred Speaker had resigned as director of Legal Services in February 1972, and many felt that the days of Legal Services were numbered. Pressures to weaken the program were very strong, at both local and national levels, and morale, it was reported was low.

While these national concerns were real, and pressures were felt in the neighborhood offices, the pressures were of a different sort, and far less dramatic. For example, it is often thought that neighborhood

TABLE 10.
QUALITY OF 1972 PROGRAM AS RATED BY LAWYERS
(in cumulative percentage)

(n = 175)

Excellent	28.6
Very good	69.7
Good	92.6
Fair	98.9
Poor	100.0

offices operated in a hostile environment that was primarily due to the opposition of the local bar associations. For the program as a whole, this was not true. In 1967, most lawyers said that the local bar associations were either helpful (59.4 percent) or indifferent (25.5 percent), rather than hindering (15.5 percent). In 1972, there was somewhat of a shift: bar associations were said to be less helpful (down to 40.2 percent) and more hindering (19.5 percent), but the biggest increase came with indifference--from 25.5 percent to 40.2 percent. The greater the time a program spent on service work, the more likely lawyers were to say that the local bar group was helpful. Also, in the offices that were rated high by the regional directors, there were more negative feelings about local bar association attitudes.

Aside from general feelings about bar association attitudes, there were pressures in the environment. For example, 60.3 percent of the lawyers reported outside pressure to do less law reform work. The most often mentioned sources of this pressure were local bar groups or private attorneys, although federal, state, and local government units were also mentioned as sources of pressure to do less law reform work. Less than one-third (31.2 percent) of the lawyers said that there was pressure from outside sources to do more law reform work; the major sources of pressure were client groups, federal authorities, and OEO national and regional offices. About 44 percent said that their office had been criticized on issues of legal ethics, mostly dealing with solicitation. Questions about client eligibility were also raised. A high percentage (79 percent) of lawyers also said that they personally received objections as to the types of cases they handled or the manner in which they handled them. Most of the objections had to do with

issues of financial eligibility of clients, or cases of law reform or cases against a government authority. The incidence of these criticisms also varied with the amount of law reform work that was being done; more law reform work produced more criticisms. Generally speaking, there was some shift in concern over outside pressure over time. Pressures from the outside for more law reform were greater in 1967 than in 1972; the outside was less favorable to law reform in the 1970s. The 1967 lawyers reflected less concern over outside pressure than did the 1972 lawyers. This change probably reflected the political climate concerning Legal Services.

Not unexpectedly, there were also internal pressures or concerns. Most of the lawyers (81.8 percent) were in programs that had branch offices; about one-half (46 percent) were assigned to these offices, with about 30 percent in the main offices (the remainder had dual assignments). The size and structure of the branch offices varied. In some programs--for example, in major metropolitan areas and in California Rural Legal Assistance--the branch offices were usually large and enjoyed a great deal of autonomy; in other programs, the branch offices were very small, and sometimes open only a few days a week. Of the attorneys in branch offices, most (60.8 percent) mentioned problems between the branch offices and the main offices. The most common problems mentioned (most mentioned only one problem) were lack of communication, uneven caseloads, red tape, interoffice rivalry, and matters of personnel.⁹

There was also internal pressure to do more law reform work; in fact, twice as many lawyers (61.5 percent) reported this internal pressure as reported outside pressure to do more law reform, as opposed to

60 percent mentioning outside pressure to do less law reform. In short, the strains within the program for more law reform work were just the reverse of the strains from outside to do less reform work. Internal pressure for more law reform work was reported most often in small cities and statewide programs, in the South and West, but there were no differences according to ratings by the regional directors.

There were complaints and strains, then, in OEO Legal Services, which is not unexpected. By and large, however, these were relatively minor. As stated before, overall job satisfaction and morale were high, and this continued throughout the five years. When asked specifically what they liked about their jobs, about two-thirds of the lawyers focused on the substantive aspects of their job: helping people, working with the poor, the kinds of cases and issues, the nature of the work, the opportunity to work for social change, contact with people. About a third mentioned professional working conditions: independence and responsibility, relations with colleagues. On the other hand, working conditions figured prominently in the things the lawyers disliked about their job: too many cases, too hectic a schedule, problems of administration, bad leadership, low pay, and insufficient funding. Comparatively few lawyers (8.8 percent) objected to restrictions on professional work.

Nevertheless, despite their social commitments and job satisfaction, Legal Services lawyers for the most viewed their position as temporary. About three-quarters of the lawyers said that they had other options at the time they took their legal services job; most mentioned private practice, another legal services job, or government work, in that order. Only 35 percent said that they planned to stay

in the job at the time they took it (another 20 percent said that at that time they did not know whether they planned to stay or not). For most lawyers (about 60 percent) neither family nor financial considerations entered into their decision to take a Legal Services job. The reasons they gave for planning not to stay varied: the desire to earn more, reservations about the nature of the job, getting "burned out," the desire to be in private practice or some other kind of job. Lawyers in Legal Services in 1972 estimated that the average time attorneys stayed in the program was approximately 20 months.

Looking at the 1972 Legal Services lawyers who had left the program by the time they were interviewed, we find that the average time in the program was 2.3 years. The length of their stay did not vary by the amount of service work that they did, or by the quality of their programs. The reasons that they gave for leaving were: the desire to earn more, getting "burned out," dissatisfaction with job (boring, not challenging), the availability of a new job, and the desire to be in private practice. Low salary levels were not commonly mentioned as a reason for leaving. For the 1967 Legal Services lawyers, reasons for leaving were much the same: dissatisfaction with job, wanting to be in private practice, and the availability of a new job. At the same time, then, that Legal Services lawyers said they liked their jobs and evaluated their programs as high in quality, they said they left because of job dissatisfaction; they tire of their jobs in a couple of years and move on.¹⁰

IV. Recruitment

We have seen that as far as the participants in Legal Service are concerned, the announcements of the demise or even the decline of Legal Services are premature. The same amount of law reform work is still being performed. There has been somewhat of a shift away from family law, but most other areas of practice have remained constant. Job satisfaction and morale have remained high. More 1972 programs are rated excellent by directors than in previous years. What about the ability of Legal Services to continue to attract able law school graduates? Even though the program, in fact, may not have declined, a bad press could hamper recruitment efforts.

In a subsequent paper, we treat in detail the background characteristics of lawyers who go into legal rights activities, including Legal Services. Here, though, we will mention legal education, since this is the most commonly used indicator of quality. Looking at the quality of law school, class rank, and opportunity to be on law review, we find no substantial diminution in the quality of law school graduates who enter Legal Services. Between 1967 and 1972, approximately the same proportions of Legal Services lawyers were graduates of high-quality law schools, were in the top quarter or top half of their class, and were invited to join Law Review.¹¹

V. Conclusion

Most of the views about the nature, operation, and development of OEO Legal Services are misconceptions. As to the work itself, law reform has not died; indeed, according to the lawyers themselves, there

TABLE 11.

LEGAL EDUCATION CHARACTERISTICS
OF LEGAL SERVICES LAWYERS

	1967 (in percent)	1972 (in percent)
From high-quality law schools (top 23 schools)	41.6	40.9
With opportunity to by on Law Review	22.1	21.0
In top quarter or half of class	75.4	79.7

seems even to have been a slight increase in law reform work. Nor has quality of program suffered; according to the regional directors, although the number of poor programs has remained the same, many programs moved from the medium to excellent range between 1967 and 1972. Recruitment into Legal Services is broadly based, from a wide variety of law schools and levels of academic achievement; this, too, has not changed over the five-year period. There are stresses and problems in working for Legal Services, but the basic finding is that throughout these years, lawyers continue to enter the program with high ideals. They view their jobs as short-term, but they are satisfied with their job and their program, and their morale is high. At least according to the participants, Legal Services is alive and well--in the field.

NOTES

¹Interviews with 176 lawyers who were in Legal Services in 1972 were conducted, with 83 percent of the sample completing interviews.

²Interviews with 297 lawyers who had been in Legal Services in 1967 were conducted in 1973. The 1967 Legal Services sample was stratified according to (1) South/non-South, (2) size of community, and (3) quality of program as rated by Legal Services regional directors. Interviews were also completed with 49 of the 1972 Reggies (87.1 percent of the sample).

³Alternatively, it could be that fewer lawyers reported doing family work, but that the overall amount of time and number of family law cases remained the same.

⁴For controversy about the role and amount of law reform in Legal Services programs, see Lawrence E. Rothstein, "The Myth of Sisyphus: Legal Services on Behalf of the Poor," University of Michigan Journal of Law Reform 7 (Spring 1974): 493-515; Anthony Champagne, "The Internal Operation of OEO Legal Services Projects," Journal of Urban Law 51 (May 1974): 649-663; Jacques Feuillan, "Making Peace with Poverty: Legal Services Under Fire," Legal Services Reporter 3 (March 1973): 1-60; Harry Brill, "The Uses and Abuses of Legal Assistance," Public Interest 31 (Spring 1973): 38-55; Communications of Jerome E. Carlin and Brill in Public Interest 33 (Fall 1973): 128-131; and Harry P. Stumpf et al, "The Impact of OEO Legal Services." In Analyzing Poverty Policy, ed. Dorothy Buckton James. (Lexington, Mass.: D.C. Heath, 1975).

⁵At the time the preferred ideology was law reform, so that we would expect programs that reportedly did the most law reform to be rated more highly.

⁶Clara Ann Bowler, "National Legal Services--The Answer or the Problem for the Legal Profession," I.I.T./Chicago-Kent Law Review 50 (Winter 1973): 415-434; Peter W. Salsich, Jr. "Reform Through Legislative Action: The Poor and the Law," Saint Louis University Law Journal 13 (1969): 373-386.

⁷Shira A. Scheindlin, "Legal Services - Past and Present," Cornell Law Review 59 (June 1974): 960-988.

⁸Star A. Levitan, The Great Society's Poor Law Baltimore: John Hopkins, 1969), Chapter 6; Jerome E. Carlin and Jan Howard, "Legal Representation and Class Justice," UCLA Law Review 12 (January 1965): 381-437.

⁹Jerome E. Carlin, "Store Front Lawyers in San Francisco," Trans-Action (April, 1970): 64-74.

¹⁰Data were also collected on lawyers who were in Judicare in 1967 and 1972. Full-time Judicare lawyers, usually administrators, said their programs did law reform work; the type they most often mentioned was Indian affairs. They evaluated their programs highly and had spent about a year and a half in them.

Part-time Judicare lawyers spent an average of 15 percent of their time in Judicare work, earning \$2065. Most of their work was (1) divorce, (2) bankruptcy and debt work, with only half the lawyers saying their programs did law reform work. These lawyers also liked their work and evaluated their programs favorably.