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Sonal Desai

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Law School Firms and Incubators and the  
Role of the Academic Law Library

Sonal Desai

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Professor Penny A. Hazelton  
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**Abstract:**

*This paper examines the recently developed post-graduate, law school supported programs intended to provide recent graduates with a continued experiential learning environment in order to bridge the gap between law school and law practice. Both law school firms and practice incubators are discussed. Specifically, this paper looks at what, if any, role academic law libraries have within these programs. Lastly, ways in which these libraries might possibly add or improve services to the programs are explored.*

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**Introduction**

There is much being said these days about the state of legal education in the U.S. For more than a decade one major criticism of current legal education is its emphasis on theory in classrooms over clinical training.<sup>1</sup> Much of the talk surrounding the inadequacy of legal education pertains to practical training (or the lack thereof) of law students.<sup>2</sup> The changes in the economy and the contraction of the legal profession have shed new light on these discussions and have given them a greater sense of urgency.

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<sup>1</sup> Margaret Martin Berry, et. al., *Clinical Education for This Millennium: The Third Wave*, 7 *Clinical L. Rev.* 1, 74 (2000-01). (“Law schools have been entrenched in an approach to legal education that has been attacked by practitioners, judges and the public, as well as respected legal educators...[a]s a result of a singular focus on the casebook method for much of the twentieth century, legal education has required and depended upon supplementation by means of gap bridging programs and intensive supervision and training for new attorneys. Clinicians must be partners in a process of curricular reform that moves legal education towards teaching the full range of skills and values.”) (Emphasis added.)

<sup>2</sup> Michael Martinez, *Legal Education Reform: Adopting a Medical School Model*, 38 *J.L. & Educ.* 705, 705 (2009). (“Legal minds tend to agree that the current educational model used in American law schools is inadequate. The current model, usually spread over three years of law school, focuses almost purely on teaching legal theory in a classroom setting. It provides the practical experience of having real clients to few, if any, students. The end product of this educational model, in the opinion of many scholars, is a group of graduates who are ill-equipped to practice as legal professionals.”)

The talk is now gaining a wider audience and can be heard beyond the legal community. The call for legal education reform has in fact found its way into mainstream media. A recent New York Times article titled “A Call for Drastic Changes in Educating New Lawyers” highlights a growing feeling that the current legal education system is broken.<sup>3</sup> The article highlights the reality the legal profession faces in contemplating radical changes to its educational system, including cutting the curriculum and requiring far more on-the-ground training.

In response to this growing concern over the inadequacies of legal education, the American Bar Association in the summer of 2012 created The Task Force on the Future of Legal Education. This task force is charged with making recommendations to the American Bar Association on how law schools, the ABA, and other groups and organizations can take concrete steps to address issues concerning the economics of legal education and its delivery.<sup>4</sup> The need for the task force, and for recommendations as to action, results from rapid and substantial changes in the legal profession, legal services, the national and global economy, and markets affecting legal education. One of the biggest calls for change involves providing more experiential learning opportunities to better prepare new law graduates for the practice of law. From lawyers to law school deans to law faculty, many have opined on ways to provide experiential learning opportunities to law school students to better prepare them for the practice of law.

One obvious outcome from this growing concern might be to require experiential learning as part of the J.D. curriculum. For example, the ABA could mandate law schools to require a minimum number of clinic hours in order for students to receive their J.D. There is little likelihood of this happening. The history of legal education in the U.S. has shaped itself into educating under an academic model. It seems training law students to practice as lawyers is not quite the priority of law schools as one might imagine. In his book Failing Law

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<sup>3</sup> Ethan Bronner, *A Call for Drastic Changes in Education New Lawyers*, The N.Y. Times (Feb. 10 2013), [http://www.nytimes.com/2013/02/11/us/lawyers-call-for-drastic-change-in-educating-new-lawyers.html?\\_r=0](http://www.nytimes.com/2013/02/11/us/lawyers-call-for-drastic-change-in-educating-new-lawyers.html?_r=0) (“The proposals are a result of numerous factors, including a sharp drop in law school applications, the outsourcing of research over the Internet, a glut of underemployed and indebted law school graduates and a high percentage of the legal needs of Americans going unmet.”)

<sup>4</sup> ABA Task Force on the Future of Legal Education, [http://www.americanbar.org/groups/professional\\_responsibility/taskforceonthefuturelegal\\_education.html](http://www.americanbar.org/groups/professional_responsibility/taskforceonthefuturelegal_education.html).

Schools Brian Tamanaha explains the “schizophrenic” tension within legal education between the academic and clinical role of law schools.<sup>5</sup> Specifically, he explains that tension exists between the belief that the chief aim of legal education is the theory behind man’s understanding of the meaning of law and its role in society and the belief that the purpose of legal education is to prepare law students for practice at the Bar.<sup>6</sup> Tamanaha concludes “[b]y the closing decades of the twentieth century the academic side was decisively dominant.”<sup>7</sup> In fact, Tamanaha points out that the belief that law schools primary aims are academic in nature is so strong that “[a]mong contemporary legal academics, anyone who maintains that law schools should focus on training lawyers for practice risks being branded an anti-intellectual.”<sup>8</sup>

There is growing concern over the lack of clinical training in most law schools today, and yet the likelihood of law schools (whose educators do not prioritize training students for practice and perhaps even scoff at that notion) adopting changes to provide such training is slim. There are other methods, however, by which law schools can offer substantial clinical training without necessarily changing J.D. requirements. In 2011 Bradley T. Borden & Robert J. Rhee published *The Law School Firm* in which they introduced the idea of a “law school firm.”<sup>9</sup> They proposed that a law school could establish a law firm that is separate and distinct from the law school. The law school firm would be a professionally-managed, revenue-generating, non-profit law firm. The CEO would be an experienced attorney with proven legal and business-development skills, who was committed to the profession and active in the legal community. The firm would hire senior attorneys, each to manage a different practice group. The senior attorneys will be experienced attorneys with business-development and management skills, a public-service mentality, and a commitment to the

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<sup>5</sup> Brian Z. Tamanaha, *Failing Law Schools*, 1092-93 (2012).

<sup>6</sup> *Id.*

<sup>7</sup> *Id.* at 1092.

<sup>8</sup> *Id.* at 1093.

<sup>9</sup> Bradley T. Borden & Robert J. Rhee, *The Law School Firm*, 63 S.C.L. Rev. 1 (2011-12).

profession. Most importantly, the law school firm would hire recent graduates in order to train the “resident” or “provisional” attorneys.<sup>10</sup>

Borden and Rhee argue that, because a major failing of the legal profession is the lack of training for new attorneys, a primary part of the law school firm's mission would be to train recent law graduates in the best law practices.<sup>11</sup> They would join the firm at compensation levels similar to what someone in public service would make and the lower compensation scheme would allow the firm to devote more time to training attorneys.<sup>12</sup> The authors continue by articulating the potential benefits from having an association with the law school: while the attorneys at the firm can help new attorneys learn how to develop business, manage clients and files, and develop other skills needed to be a successful attorney, “[t]he law school faculty can provide additional legal training to provisional attorneys at the law firm. The faculty can focus on helping new attorneys obtain the technical knowledge necessary to adequately serve clients.”<sup>13</sup> While Borden and Rhee speak of the potential value of law school *faculty*, this paper aims to explore the potential value of law school librarians may add to these law school firms.

Borden and Rhee’s suggestion is interesting in that it offers a solution to the problem of unskilled law school graduates, but it does not require necessarily a complete rehaul of the current law school model. This solution is one that can more easily be implemented by simply adding a new program on top of the existing model rather than requiring a change. While the creation and implementation of something new is certainly no easy task, it can be argued that it

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<sup>10</sup> Borden and Rhee offer two models of this post-graduate program. In the first law schools still provide the traditional three-year track and offer slots in the law firm to selected students following graduation as “resident attorneys.” Resident attorneys would commit to several years of work at the law firm. The other model is a two-year model in which law students would complete two years of law school made up mostly of the traditional required curriculum plus a few electives. A student could transfer to the law school firm to work under contract as a provisional attorney for a fixed period (three to six years). After that fixed time the provisional attorney would be able to join another firm or begin a law practice.

<sup>11</sup> See Borden and Rhee, *supra* note 9, at 7.

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

is easier than requiring a change of a method that has been in place for decades and still touted by the decision makers such as deans and faculty.

Since the Borden and Rhee article was published in the autumn of 2011, many law school-supported, post-graduate clinical programs have been created with the intention of providing a bridge to ease transition from law school to law practice. There are two models within these programs. One is more akin to the law school firm Borden and Rhee envisioned. The other is the solo or small firm “incubator.” The incubators are similar to the business incubators more often found in the technology industry that offer support to startup companies with the hopes of increasing the likelihood of success. With the exception of one, these programs are in their infancy – either brand new or still in their development phase. This growing trend of law incubators has even garnered the interest of the ABA.<sup>14</sup>

This paper will first outline the details of these new programs. The information regarding these programs comes mainly from the program websites but also, in some instances, from the program directors themselves.<sup>15</sup> At the time of this writing the following eleven programs were identified as one of the newer post graduate “residency” or incubator programs. Additional programs may

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<sup>14</sup> Deborah L. Cohen, *Growing Justice: Law Schools Hop on the Incubator Trend*, 98.10 ABA J. 30 (Oct. 2012) (“There seems to be an emergence of interest in incubator, residence and post-grad support systems, says Will Hornsby, staff counsel for the ABA's Division for Legal Services. The ABA is starting a discussion list and document archive for idea-sharing about incubators, and it is planning to host forums for those administering incubator projects.”). American Bar Association’s Standing Committee on the Delivery of Legal Services homepage states “Law firm incubator and residency programs are emerging as models that enable newly-admitted lawyers to acquire the range of skills necessary to launch successful practices. The alpha incubator was established at the City University of New York over a decade ago. Recent changes in the economy have led to the creation of similar models by both law schools and bar associations,” available at [http://www.americanbar.org/groups/delivery\\_legal\\_services/initiatives\\_awards/program\\_main.html](http://www.americanbar.org/groups/delivery_legal_services/initiatives_awards/program_main.html) (last visited May 11, 2013).

<sup>15</sup> Each program director was contacted in order to provide details beyond that which was published online. Some of the directors responded. Of those who responded, most confirmed that the details they had were the same as those published on the program website. Only one director was able to add additional information than that which was available online.

currently be in development but not yet marketed, so they are not able to be included in the summaries below.

## **The Program Details<sup>16</sup>**

### ***Law School Firms***

#### *Arizona State University*

At the time of this writing, Arizona State University is in the organizing and development phase of what will function as a law school firm. The Law Group will be a stand-alone, nonprofit firm, modeled after a teaching hospital. It will be a full-service, fee-based institution that will provide legal services to clients, focusing on those who cannot afford to pay current market rates. This separately organized and financed law firm envisions a group of supervising attorneys, and a number of recently licensed ASU law graduates, providing paid legal services in an unspecified number of practice areas. This law firm is tentatively scheduled to be in the Arizona Center for Law and Society, which is projected to open Summer 2016.

The firm will be comprised of four to five litigation and transactional practice groups, with recent College of Law graduates serving as associates in each, for terms of up to three years. The groups will each be overseen by supervising attorneys. In addition to providing on-the-job training, the firm will provide formal training to junior lawyers on substantive areas of law, essential skills, and client development and retention. The firm will hire about 10 ASU law graduates per year for a total of 30 associates at any one time.

The preliminary plan calls for hiring five or six experienced attorneys who would essentially act as partners and supervise the “resident lawyers.” The residents would spend a set amount of time—most likely capped at two years - cycling through different practice areas including bankruptcy, family law and corporate organization. The firm would charge clients for legal services, but at relatively low rates. Any profit would finance scholarships. Although the firm would be affiliated with the law school, state law prevents ASU from actually

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<sup>16</sup> For a list of program profiles compiled by the American Bar Association, please see the Appendix.

owning it. The recent graduates working there would be paid, with benefits. It will be a law firm, in all of the traditional aspects of the law firm, with two major differences—it is a nonprofit, and it is a teaching law firm.<sup>17</sup>

*Pace Law School*<sup>18</sup>

The Pace Community Law Practice (PCLP) reflects both the law school firm and incubator models. It is a legal residency and incubator program where recent Pace Law School graduates serve as Fellows intensively learning legal practice under the supervision of experienced attorneys and gaining the tools to create solo and small practices. The PCLP provides a multi-year program of legal skills training, starting with intensive supervision and evolving into solo and small practice support. The PCLP model brings law student interns, Fellows, and new solo practitioners together in one legal practice.

*Legal Residency:*

In the first portion of the program PCLP Fellows work under the close supervision of a supervising attorney, executive director, and mentors. PCLP Fellows are responsible for all aspects of legal practice -- from providing high-quality legal services to our clients, to creating and managing case management and business protocols, to community outreach and public education, to building the professional contacts. All Fellows receive extensive training in a variety of substantive legal areas, practice management and legal ethics.

*Solo Practice Incubator:*

Upon completion of the legal residency, Fellows who choose to build solo practices receive critical ongoing support from the PCLP. Fellows turned solo practitioners benefit from access to PCLP office space, PCLP attorney supervisors and mentors, and the assistance of law student interns. With ongoing PCLP support, former Fellows embark on solo careers with strong legal and practice management skills and a firm foundation of professional and community ties on which to build their practices.

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<sup>17</sup> Karen Sloan, *Think of it as Residency for Lawyers*, The National Law Journal (June 4, 2012).

<http://www.law.asu.edu/LinkClick.aspx?fileticket=d0ItKL24KdU%3D&tabid=803>

<sup>18</sup> Pace Community Law Practice website: <http://www.law.pace.edu/pace-community-law-practice> (visited April 13, 2013).

## ***Law Incubators***

### *California Western School of Law*<sup>19</sup>

The Access to Law Initiative law office, located in downtown San Diego's Symphony Towers, houses eight attorneys who each operate their own practice and pledge to provide at least 100 hours per year of pro bono, public service, and "sliding scale fee" legal service. Attorneys are California Western graduates starting their own solo practice or small firm who seek to benefit from the mentoring and networking opportunities provided by the Access to Law Initiative and its advisory board, as well as an online network of other solo and small firm practitioners.

### *Charlotte School of Law*<sup>20</sup>

The Small Practice Center provides office space for eight attorneys and two mentors. Two experienced practicing attorneys will maintain their offices within the Center and will be available, for mentoring on a regular basis. In addition, the North Carolina Bar Association and Charlotte School of Law's Alumni Association members will help mentor participants. Best Practices programs sponsored by the Charlotte School of Law will be provided free of charge in a variety of fields such as trust accounting, marketing, website creation and red flags for malpractice.

### *City University School of Law*<sup>21</sup>

CUNY's Incubator for Justice is part of its Community Legal Resource Network (CLRN). CLRN is a collaborative that supports CUNY Law School graduates as they work to set up and run solo or small-group practices devoted to serving pressing needs of the poor and disadvantaged in communities that are underserved by lawyers. The Incubator for Justice is trains CLRN members, over an 18-month period, in basic business issues such as billing, record-keeping,

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<sup>19</sup> California Western Launches Program to Serve Community, Support New Attorneys. <http://www.cwslalumni.com/site/apps/nlnet/content2.aspx?c=pmL6KhNXLvH&b=3961963&ct=11928091> (visited April 13, 2013).

<sup>20</sup> Small Practice Center Launches. <http://www.charlottelaw.org/about/small-practice-center-launches> (visited April 13, 2013).

<sup>21</sup> Community Legal Resource Network. <http://www.law.cuny.edu/clrn.html> (visited April 14, 2013).

technology, bookkeeping and taxes while, at the same time, facilitating Incubator participants' involvement in larger justice initiatives and in subject-based training in immigration law, labor and employment and other topics that will arise continually as these attorneys build their practices.

*Cleveland-Marshall College of Law*<sup>22</sup>

The incubator will be housed in a portion of the existing law library with a separate entrance from East 18th Street, and will offer low-rent office space, conference rooms, and a reception area for up to 15 practitioners who are recent graduates of C|M|LAW. When the doors open to the Class of 2013 next fall, it will be the only law school-housed solo practice incubator in Ohio, and one of fewer than 10 nationwide. C|M|LAW's key partner in the incubator endeavor is the Cleveland Metropolitan Bar Association, which has agreed to provide solo practitioners with additional resources, including reduced-cost health and liability insurance, mentoring, and vendor discounts.

*Florida International University College of Law*<sup>23</sup>

FIU Law offers a post-graduate program that provides new lawyers an opportunity to enter an apprenticeship with elements akin to both a medical school residency and a business school entrepreneurial incubator. The program is open to recent graduates of FIU Law who have been admitted to practice in Florida. Each participant agrees to enroll in the FIU LawBridge program for two years and to house their solo practice within the FIU LawBridge™ facilities located in Miami's financial district.

FIU Law will provide guidance in the establishment and operation of each participant's law practice. Additionally, the participants will be provided with training in professionalism and ethics through a series of lectures and other course offerings throughout the term. Additional support is provided to each participant in the areas of marketing and public relations, as well as in accounting and financial planning. Seasoned marketing professionals who focus on legal

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<sup>22</sup> Solo Law Practice Incubator at C|M|LAW will Support New Legal Entrepreneurs. <https://www.law.csuohio.edu/newsevents/news/solo-law-practice-incubator-cmlaw-will-support-new-legal-entrepreneurs> (visited April 14, 2013).

<sup>23</sup> FIU LawBridge™: A Legal Residency Program. <http://law.fiu.edu/alumni/lawbridge/> (visited on April 14, 2013).

professionals meet with the participants regularly to work on such things as business card designs, website content and use, the “elevator pitch” and marketing initiatives. In the accounting and financial planning area, a locally based mid-size accounting firm provides each participant with all accounting and tax preparation services required during the two years in the FIU LawBridge™ program.

*IIT Chicago-Kent College of Law*<sup>24</sup>

In exchange for contributing a minimum of 10 hours of their time per week on cases at the Chicago-Kent Law Offices, participants of the Solo and Small Practice Incubator are provided with an office housed at the law school; basic office fixtures; experiential training on law firm management, client intake, billing practices, marketing and other practice-related topics; access to Westlaw and Lexis; alumni mentors; clinical faculty mentors/supervisors to help these newly minted attorneys navigate different selected practice areas; and, when possible, overflow cases from the Law Offices.

*Thomas Jefferson School of Law*<sup>25</sup>

The Center for Solo Practitioners consists of six to ten lawyers who have a desire to establish their own law practices. Each New Solo will develop their own practice in a cooperative, shared-space environment that will operate like a fully-functioning law office in a downtown location that is easily accessible to public transportation, courts and other public services. The program will offer affordable office space, guidance in managing a legal practice, access to high-quality training, access to seasoned mentors, full-time access to an in-house lawyer with more than 20 years of experience and ongoing access to Thomas Jefferson’s network of alumni attorneys.

*University of Missouri-Kansas City School of Law*<sup>26</sup>

The Solo and Small Firm Incubator was developed with assistance from the Missouri Bar Association and the Kansas City Metropolitan Bar Associations

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<sup>24</sup> Solo and Small Practice Incubator. <http://www.kentlaw.iit.edu/alumni/solo-and-small-practice-incubator> (visited April 14, 2013).

<sup>25</sup> The Center for Solo Practitioners – A Lawyer Incubator Program. <http://www.tjssl.edu/tjssl-alumni/incubator-program> (visited April 14, 2013).

<sup>26</sup> Solo and Small Firm Incubator. <http://law.umkc.edu/careers-cle/solo-and-small-firm-incubator.asp> (visited April 14, 2013).

Solo Practitioner/Small Firms committee, the program will offer affordable office space, an office assistant, experienced mentor attorneys on site and guidance in managing a legal practice.

*S.J. Quinney College of Law, University of Utah*<sup>27</sup>

The University Law Group provides affordable legal services to low- to moderate-income people and small businesses in our community, while providing an opportunity for newly practicing attorneys to gain practical experience. University Law Group is staffed by young attorneys who are recent University of Utah S.J. Quinney College of Law graduates. The attorneys work under the supervision of Dennis Gladwell, a College of Law alumni and former partner at a major international law firm. University Law Group provides legal representation to members of the community and students at the university.

#### *Bar Association Incubator Programs*

Law schools are not the only organizations looking to provide new law graduates with the support needed to transition to practice. Local bar associations are also beginning to see the need for this bridge. Two examples of this are the Columbus Bar Association's Columbus Bar inc<sup>28</sup> and the Chicago Bar Foundation's Justice Entrepreneurs Project.<sup>29</sup> While these bar association programs offer many of the same resources and support that the law school programs offer, the role of academic law libraries within them will not be explored. The geographic and institutional distance between them may prove

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<sup>27</sup> University Law Group. <http://www.law.utah.edu/project/university-law-group/> (last visited May 11, 2013).

<sup>28</sup> Columbus Bar inc. Professional Development Center. <http://www.cbalaw.org/resources/jobs/job-seekers/columbus-bar-inc.php> (visited April 14, 2013) (“a program intended to accelerate the successful development of new lawyers in an environment that provides an array of business support resources. The Columbus Bar Association provides an office facility, equipment, mentoring, training, and specially designed networking opportunities to help new lawyers build a successful practice based on sound business principles”).

<sup>29</sup> Justice Entrepreneurs Project. <http://www.chicagobarfoundation.org/jep> (visited April 14, 2013) (in this 18 month program participants will develop their practices while receiving training, mentoring and other support on business and legal issues as well as space and other infrastructure as they get started).

troublesome. Furthermore, the public law libraries may be better positioned to offer services and expertise to these programs.

### **Academic Law Library Involvement**

The American Bar Association Standards and Rules of Procedure for Approval of Law Schools are “minimum requirements designed, developed, and implemented for the purpose of advancing the basic goal of providing a sound program of legal education. Consistent with their aspirations, mission and resources, law schools should continuously seek to exceed these minimum requirements in order to improve the quality of legal education and to promote high standards of professional competence, responsibility and conduct.”<sup>30</sup>

ABA Standard 601 contains the general provisions addressing Library and Information Resources. Standard 601 reads as follows:

#### Standard 601. GENERAL PROVISIONS<sup>31</sup>

(a) A law school shall maintain a law library that is an active and responsive force in the educational life of the law school. A law library’s *effective support of the school’s* teaching, scholarship, research and *service programs* requires a direct, continuing and informed relationship with the faculty, students and administration of the law school.

(b) A law library shall have sufficient financial resources to support the law school’s teaching, scholarship, research, and service programs. These resources shall be supplied on a consistent basis.

(c) A law school shall keep its library abreast of contemporary technology and adopt it when appropriate.<sup>32</sup>

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<sup>30</sup> The American Bar Association, THE ABA STANDARDS AND RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS. (2012-13)

<sup>31</sup> A proposal to amend this standard is currently awaiting and slated for approval. These changes, however, do not alter the emphasized portions of the standard – that the law library shall effectively support the law school’s service programs.

<sup>32</sup> *Id.* at 43 (emphasis added).

Whether these law school firms and incubators are “service programs” within the law school, (and therefore whether Standards 601 requires careful thought and action by academic law libraries toward achieving and exceeding the minimum standards set forth above) is certainly up for contention. While their exact relation to the law school is unclear, however, the profiles kept by the ABA’s Standing Committee on the Delivery of Legal Services are telling. Many of these programs’ touted missions are dedicated to serving underrepresented populations.<sup>33</sup> Might they therefore be considered service programs?

And to what extent are these service programs, which are *post-graduate* programs, considered programs that are run within the law school? Here again the ABA’s compilation of program profiles may be helpful. Many of the program profiles list their operational details as being a program that is “operated under the auspices of a law school.”<sup>34</sup> This description implies that the programs are in some way under the law school’s guidance. Furthermore, many of these programs are funded entirely or partially by “law school support.”<sup>35</sup> Might this be enough to consider them related to the law school in enough measure to call into effect ABA standards?

The answer to these questions may not be clear in the early stages of the programs. Yet even if one concludes that ABA Standard 601 does not apply with regard to these incubator/law school firm programs, another reason exists why academic law libraries should consider playing a supportive role: marketing. Given that these post-graduate programs are for recent graduates (many of whom likely still hold ties to one of the academic law library’s core patronage – i.e., law students) an academic law library that makes itself relevant to the post-graduate program is marketing to law students their expertise in legal information. Furthermore, many of these post-graduate programs are run by people who have roles within the law school.<sup>36</sup> Hence to the extent that the law library becomes a

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<sup>33</sup> See the Appendix.

<sup>34</sup> See the Appendix.

<sup>35</sup> See the Appendix.

<sup>36</sup> Take, for example, Florida International University College of Law’s LawBridge Legal Residency Program and the University of Missouri-Kansas City’s UMKC Solo and Small Firm Incubator. Both of these programs list on their profiles that their staffing consists of faculty members.

resource to the post-grad program, others within the law school itself (including faculty) are learning of the value the library can bring to their information needs.

So the question remains - what are law libraries currently doing for these post-graduate programs, and what might they further do to support them?

Directors for all eleven academic law libraries of the schools discussed above were contacted to share information regarding their library's involvement with these post graduate programs. They were asked what, if any, role did they play in the development of the program as well as what, if any, role they play in supporting the programs.

Seven of the eleven academic law libraries contacted responded. The responses were revealing. None of the libraries that responded were aware of any formal role played in either the development or continued support of the programs.<sup>37</sup> There were a handful of law libraries that were involved with the program to some extent, but this involvement was more of an afterthought or very tangential in nature. For example, one library director noted that she worked closely with the director of the school's incubator program to acquire the resources they needed and also worked to develop a special collection in the library for the solo concentration. There did not appear to be a formal arrangement in place, however, and rather than an ongoing collection development policy servicing the program needs, it appeared to be a one-time occurrence.

Another library director explained their law library is currently considering offering some defined document delivery, reference or research services to the 'firm' at a price, at least billing their time to the firm. At this point, however, it is simply a concept being considered and at the moment this law library does not play a formal role in the incubator program.

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<sup>37</sup> One unrelated exception was the law library at Cleveland-Marshall College of Law. A phone conversation with current library Director Kristina Niedringhaus revealed that she did sit in on meetings during the developmental phase of the Solo Law Practice Incubator. The reason behind this, however, was to help make decisions on utilizing law library space for the incubator. Decisions regarding the law library's role in the program (outside of repurposing some of its space for the incubator's law office) were not discussed.

Finally, one law library director explained that she did offer the program director reference assistance and some formal instruction regarding legal research. As of her response to my survey, she had yet to receive any requests from the program director other than to have the academic contracts with Westlaw and Lexis extended to the program participants. Both Westlaw and Lexis were unwilling to do so.

Of course all of these academic law libraries do serve the programs to a certain extent. Reference services are often provided to alumni or even bar members generally. So the new graduates practicing within the law school firms and incubators will be able to use those services. The same is true for use of print collection, borrowing privileges, and onsite electronic databases. There may be additional opportunities, however, to maximize the support of these recent graduates in their transition to practice. There may be ways, during these programs' infancy days, in which academic law libraries can formally assert themselves in long term and meaningful ways.

### **Possible Roles Academic Law Libraries May Explore Within Law School Firms and Incubators**

#### ***The Embedded Librarian***

A recent paper titled "Embedded Librarians: Teaching Legal Research as a Lawyering Skill" in the *Journal of Legal Education* introduced the idea of the embedded librarian in law schools.<sup>38</sup> Embedded librarians in academia are not new, but as authors Feliú and Frazer point out, "the concept of embedding librarians in law school courses and clinics has not yet taken hold."<sup>39</sup> Feliú and Frazer argue that there is a need for embedded librarians within law school clinics in order to marry the classroom teaching of advanced legal research with development of professional acumen and expertise in research planning and application. The authors point out that in the practice of law (i.e., in the clinic environment) the opportunity arises for teaching students how to devise a research plan that is efficient and cost-effective; evaluate results from online research services that use databases relying on algorithms versus human indexed resources

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<sup>38</sup> Vicenç Feliú & Helen Frazer, *Embedded Librarians: Teaching Legal Research as a Lawyering Skill*, 61 J. Legal Educ. 540 (2012).

<sup>39</sup> *Id.* at 540.

or vice versa; and learn how to research analogous law, extra legal resources, unwritten rules and practices or custom, and ethical practice.<sup>40</sup>

The idea of embedded librarians in law school clinics can be applied to law school firms. Here too there is a need for legal research training that is not covered in basic and advanced legal research courses. This need is even more apparent as one realizes that the new law school firms may not require advanced legal research courses or even clinics as a prerequisite to being hired by the firm. Recent graduates turning to the law library may have the ability to seek reference or research assistance, but this does not reach the level of training and education that is envisioned by Feliú and Frazer.

An embedded librarian has been defined as a librarian involved in the spaces of its users and colleagues, either physically or through technology, in order to become a part of its users' culture.<sup>41</sup> A librarian's physical and metaphorical location is often what defines them as embedded.<sup>42</sup> Within these new post-graduate programs there is ample opportunity for the academic law librarian to insert themselves into the practitioners' culture.

With regard to physical proximity, certain programs will lend themselves more easily to the idea of an embedded librarian. Unlike the typical arrangement between academic law libraries and their new practitioner alum, who may be in need of services but are scattered around the city, state, country, or world after graduation, the new graduates involved in many of these programs will be quite near to the library.<sup>43</sup> In this aspect the post-graduate programs share a similarity to law school clinics, bringing into purview Feliú and Frazer's call for the embedded librarian. Law school firms may also explore the idea of paying to have a part-time embedded librarian working within the firm or as a consultant.

A metaphorical proximity could be accomplished by allowing the post-graduate program participants similar research services normally reserved for core

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<sup>40</sup> *Id.*

<sup>41</sup> Andrea Alexander and Jordan Jefferson, *Surveying the Perceptions and Attitudes of Embedded Law Librarians*, 17 AALL Spectrum 5, 21 (2013).

<sup>42</sup> *Id.*

<sup>43</sup> Take, for example, the Cleveland-Marshall College of Law's Incubator offices that are housed in former space of the law library or IIT Chicago-Kent College of Law's incubator offices that are housed in the law school in close proximity to the law library.

patrons (e.g., emailing the reference librarians with research questions). This might be more appropriate with programs funded by the law school and overseen by faculty. In the case where a law school firm maintains an internal website, the law library might make its presence known on the internal site (e.g., listing a general reference email address or links to particular reference librarian bios with areas of expertise).

The ways in which the academic law library might explore the idea of embedded librarians within the post-graduate programs can vary greatly. Each institution would need to assess the level of propriety of the level of service the law library offers and whether an embedded librarian makes sense in their particular circumstances. Factors to consider might include whether core patrons are involved in the post-graduate programs and whether the law school is funding the program. While the ultimate conclusion as to whether an embedded librarian is the optimal choice for law library support will vary from institution to institution, the analysis is one that is important for each library to undertake.

### ***Participating in Program Workshops***

Another way academic law libraries may offer support to the law school firm/incubator post-graduate programs is by participating in and hosting workshops. Many of the incubator programs provide workshops and other training opportunities to their novice practitioners. These workshops may be traditional subject specific CLEs or talks on business management regarding solo and small firms (where topics range from marketing the new business to using billing software).

Law librarians have expertise in many real world skills from which the solo or small firm practitioner could benefit greatly. For example, new graduates who are hanging out their own shingle will face a potentially overwhelming number of choices in print and digital legal information resources. Knowing how to evaluate the list of resources and choosing from that list is part of many law librarians' job. Academic law librarians have an expertise in evaluating various free and low cost legal information resources made available to the general public or bar members by either local public law libraries or local bar associations. This would be great information to impart to participants in the incubator programs who are likely dependent on these free and low cost resources.

A related area of expertise is identifying key resources in a specific practice area. While the incubator programs provide the novice practitioners with mentors, it is unclear whether the mentor will necessarily be an attorney with the subject specific experience the newer attorney seeks. Academic law librarians have experience in identifying the best core practice materials across many practice areas.

Law librarians (and librarians in general) are also very adept at negotiating with vendors once resources are chosen. Negotiating is part of the history of the profession.<sup>44</sup> Negotiating is such an integral part of a law librarian's job (with vendor contracts among a whole host of other things) the American Association of Law Libraries publishes a guidance document titled "Negotiation in Law Libraries."<sup>45</sup> Developing a workshop in vendor contract negotiations would be a relevant and useful addition to the law firm business management component of the law incubators.

For the academic law libraries that allow access and offer services to community bar members, another potential workshop would be to provide an overview of these services to the program participants. Oftentimes the academic law library's collection is one of the greatest resources available to a solo or small firm practitioner. By informing program participants of this value the law library is once again marketing (potentially to core patrons such as faculty) its services and expertise.

Regardless of whether an academic law library allows access and offers services to community bar members, there may be public law libraries in the area that are a valuable resource to a solo or small law firm. An overview of these public law libraries and their associated services would be helpful.

Finally, and possibly most importantly, law librarians have expertise in legal research instruction. As the American Association of Law Libraries points

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<sup>44</sup> Janet L. Flowers, *Specific Tips for Negotiating with Library Vendors Depending Upon Acquisitions Method*, 28(4) *Library Collections, Acquisitions, and Technical Services* 443 (2004) ("Librarians have negotiated with library materials vendors since the 19th century.").

<sup>45</sup> American Association of Law Libraries, *Negotiations in Law Libraries*, AALL Resource Guide # 6. (2000) <http://www.aallnet.org/Archived/Publications/AALL-Publications/pll-resource-guides/Guide-6.pdf>

out in their response letter to the American Bar Association's Task Force on Legal Education Request for Comment on the Future of Legal Education:

Legal research is a mainstay of legal practice. Law librarians have studied legal research and legal research instruction as a distinct discipline. Law librarians are the experts on legal research at their institutions, and they are the primary source of legal research instruction in the legal academy.<sup>46</sup>

The use of a law librarian's expertise in legal research does not need to end at law school graduation. The general, one size fits all approach that is the unfortunate reality of first year legal research courses, which are designed to provide a basic foundation for any and all types of legal practice, can be built upon in these program workshops. Workshops on legal research training that are specifically tailored to particular practice areas could be of great benefit to new practitioners within these programs.

Many other specific services might be possible beyond those outlined above. Some services may turn on the particular focus area of the law school firm or perhaps the culture of the law school and the history of the law library's collaboration with the school's service programs. The importance lies in looking for opportunities in making connections and partnerships with the post-graduate programs.

## **Conclusion**

New law school supported, post-graduate programs aimed at transitioning recent graduates from the classroom to practice offer academic law libraries a unique opportunity to further establish their relevance within the law schools. Law librarians can and should develop formal roles within these new, innovative programs to offer their expertise. By doing so the law libraries are not only helping recent graduates in the transition from classroom to practice, but they are also supporting the law school achieve success in these new service programs. Finally, by taking part in these innovative programs during the early stages, law

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<sup>46</sup> American Association of Law Libraries. Letter dated February 6, 2013: American Bar Association's Task Force on Legal Education Request for Comment on the Future of Legal Education.

librarians can bolster the law libraries themselves by maintaining the library's relevance and marketing the library's value to the law school.

There are many avenues the law library can take in choosing to provide service and support. The degree to which an academic law library may choose to be involved in these programs will depend on multiple factors including but not limited to the location of the law school firm/incubator, the extent to which the law school is funding the program, and the involvement of core patrons, such as faculty, in the programs. Certainly some libraries may ultimately decide that it does not make sense to be involved, but to not undertake the analysis in the first place would be a missed opportunity. Currently, when many libraries are striving to highlight their value to their institutions amidst dwindling tuition dollars and budget cuts, this would be a sorely missed opportunity.

## APPENDIX

The ABA's List of Incubator/Residency Profiles as taken directly from their website:

[http://www.americanbar.org/groups/delivery\\_legal\\_services/initiatives\\_awards/program\\_main/program\\_profiles.html](http://www.americanbar.org/groups/delivery_legal_services/initiatives_awards/program_main/program_profiles.html) (last visited May 11, 2013)

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### ARIZONA

#### ASU Alumni Law Group Arizona State University

**Mission:** To train new lawyers in the practical realities of law practice, while providing low-cost, high-quality legal services to those currently unable to afford legal representation.

**Program status:** will be operational in Fall 2013

#### **Organizational details:**

- Program will be operated under the auspices of the law alumni association.
- Participants will be part of a single program law firm.
- Funding: the program will be self-sufficient after a brief start-up phase.
- Staffing: the program will be staffed by independent compensated staff. It is anticipated that there will be 30 associates, 5 supervising attorneys, and approximately 20 support staff.
- Malpractice insurance: the program will have insurance that covers participants.

#### **Types of cases that will be handled:**

- Program will require that participants take some pro bono and some moderate-income cases.
- There will be subject matter restrictions on the types of cases that are taken; the program will have 5 practice areas, yet to be determined.

#### **Participants:**

- Participant selection: to be determined
- Number of participants: The program will hire 10 associates/year

- Length of time in program: 2–3 years.
- Alumni role: non–associate alumni may serve as supervising attorneys and will be involved in the educational elements of the training.

Resources provided to participants: the program will be a full–fledged firm and therefore participants will be provided with the typical resources that associates in other firms receive.

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## **CALIFORNIA**

### **Access to Law Initiative (ALI) California Western School of Law**

**Mission:** To provide reasonably affordable and free legal services to underserved communities and support alumni who wish to engage in solo, small firm, and non–profit practice.

**Program status:** operational as of June 2012.

#### **Organizational details:**

- Program will be operated under the auspices of the law school.
- Participants are not considered part of a single program law firm; participants operate their own independent law firms.
- Funding: the program is funded through law school support.
- Staffing: the only staff is a visiting faculty member, working as a volunteer for the program.
- Malpractice insurance: the program has umbrella insurance that applies to the program but does not cover participants.

#### **Types of cases that will be handled:**

- Program requires that participants take some pro bono cases and provides opportunities (but does not create an obligation) for taking moderate–income cases.
- There are no income or subject matter restrictions on the types of cases that are accepted.

**Participants:**

- Participant selection: participants are selected by the program director.
- Number of participants: 14-16 at any given time.
- Length of time in program: up to 18 months (though this will be flexible)
- Alumni role: mentoring and other activities.
- Resources provided to participants:

Free office space	
Subsidized office space	
A stipend or other financial contribution	
Mentoring on substantive legal issues	✓
Opportunities to shadow lawyers	
Assistance and training with practice management issues	✓
Free or subsidized CLE programming	✓
Free or subsidized malpractice insurance	
Online networking	
In-person networking	✓
Programming on client development	✓
Case referrals	✓
Pro bono opportunities	✓
Legal research resources	
Other resources	

**Center for Solo Practitioners  
Thomas Jefferson School of Law**

**Mission:** The Center for Solo Practitioners is a post-graduate program designed to help alumni develop law practices devoted to the representation of people who are traditionally cut off from legal services and denied access to justice. The goals of the program are to: (1) provide reasonably-priced legal services to low and middle income individuals, (2) help bridge the "justice gap" in our community, (3) engender a career-long passion for serving and improving under-served communities, and (4) provide new lawyers with the skills necessary to run a successful law firm business, while instilling a deep commitment to ethics and professionalism.

**Program status:** operational as of November 2012.

**Organizational details:**

- Program will be operated under the auspices of a law school.
- Participants operate their own independent law firms.
- Funding: the program is funded through law school support and grants.
- Staffing: the program is staffed by law school contract or administrative staff.
- Malpractice insurance: the program requires participants to have insurance, but does not provide it to them.

**Types of cases that will be handled:**

- Program requires that participants take some pro bono and moderate-income clients.
- The program limits cases to those that are within malpractice insurance limits.

**Participants:**

- Participant selection: application and interviews.
- Number of participants: 9 in the inaugural class, and will likely admit 6-10 per year.
- Length of time in program: 12 – 18 months
- Resources provided to participants:

Free office space	
Subsidized office space	✓
A stipend or other financial contribution	
Mentoring on substantive legal issues	✓
Opportunities to shadow lawyers	
Assistance and training with practice management issues	✓
Free or subsidized CLE programming	✓
Free or subsidized malpractice insurance	
Online networking	
In-person networking	✓
Programming on client development	✓
Case referrals	✓

Pro bono opportunities	✓
Legal research resources	✓
Other resources	

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## FLORIDA

### LawBridge Legal Residency Program Florida International University College of Law

**Mission:** To provide new law school graduates with training to enhance their professional development and to enable them to learn the business of law firm management and practice development.

**Program status:** operational as of October 2011

#### Organizational details:

- Program is operated under the auspices of a law school.
- Participants operate their own independent law firms.
- Funding: the program is funded through law school support, donations, and revenue from the participants.
- Staffing: the program is staffed by law school faculty and volunteers.
- Malpractice insurance: the program requires participants to have insurance, but does not provide it to them.

#### Types of cases that will be handled:

- The program requires that participants do some pro bono and provides opportunities (but not an obligation) to take moderate-income clients.
- The program will not take cases in highly specialized areas, such as patent, tax, medical malpractice, and contingency matters.

#### Participants:

- Participant selection: participants engage in a rigorous pre-selection planning exercise using information and materials provided by LawBridge, such as budgeting, income projections, and practice focus.

- Number of participants: 7 in 2012 and it is projected that there will be 8-9 in 2013. The program expects to house 15-20 at any given time.
- Length of time in program: 24 months
- Alumni role: mentors and lecturers.
- Resources provided to participants:

Free office space	
Subsidized office space	✓
A stipend or other financial contribution	
Mentoring on substantive legal issues	✓
Opportunities to shadow lawyers	✓
Assistance and training with practice management issues	✓
Free or subsidized CLE programming	✓
Free or subsidized malpractice insurance	
Online networking	✓
In-person networking	✓
Programming on client development	✓
Case referrals	
Pro bono opportunities	✓

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## ILLINOIS

### **Justice Entrepreneurs Project Chicago Bar Foundation**

**Program status:** will be operational in June 2013

**Mission:** The goal of the Justice Entrepreneurs Project (JEP) is to develop market-based solutions to serve the unmet needs of moderate income individuals for affordable legal services. The JEP will help entrepreneurial and public-interest minded new attorneys develop law practices that use innovative methods to deliver cost-effective, quality legal services to clients with modest incomes and will bring together the Chicago legal community to support and collaborate in this effort.

### **Organizational details:**

- Program is being started by a bar foundation, but will eventually become its own free-standing organization.
- Participants will not be considered part of a single program law firm and instead will operate their own independent law firms.
- Funding: the program will be funded through a combination of bar association/foundation support, grants, donations, revenue from participants and law school support specifically tied to stipends for participants.
  - The Chicago Bar Foundation is providing seed funding.
  - There will be a participation fee during the last 12 months of the 18 month program. It is anticipated to start at \$300/month and escalate to \$500/month for the last six months.
- Staffing: Bar Foundation staff and then independently compensated staff. Initially, there will be one full-time director, but eventually additional support staff may be hired based on program needs and funding.
- Malpractice insurance: the program will have umbrella insurance that applies to the program and is seeking discounted rates for participants.

### **Types of cases that will be handled:**

- The program will *require* that participants take moderate-income cases. The program will include a 20 hour per week pro bono component during the first 6 months of the program.
- There will be subject matter and income restrictions on the cases accepted by the program. In terms of subject matter, there will be restrictions on personal injury cases and on criminal cases. In terms of income restrictions, moderate income clients up to 400% of the federal poverty level will be taken.

### **Participants:**

- Participant selection: participants will be required to submit applications including resumes, transcripts and statements of interest. Applicants will then be interviewed and a subcommittee will select the participants.
- Number of participants: the program will begin with 10 participants and will add 10 participants at 6 month intervals, to an envisioned maximum of 30 participants at one time. 10 participants will then rotate in and out of the program every 6 months.
- Length of time in program: 18 months

- Alumni role: mentorship and participation in program network.
- Resources provided to participants:

Free office space	
Subsidized office space	✓
A stipend or other financial contribution	✓
Mentoring on substantive legal issues	✓
Opportunities to shadow lawyers	
Assistance and training with practice management issues	✓
Free or subsidized CLE programming	✓
Free or subsidized malpractice insurance	
Online networking	✓
In-person networking	✓
Programming on client development	✓
Case referrals	✓
Pro bono opportunities	✓
Legal research resources	✓
Other resources	

### **Solo & Small Practice Incubator IIT Chicago–Kent College of Law**

**Mission:** To assist in the development of newly admitted attorneys in an "incubator" environment that provides an array of business support resources. The aim of the one-year program is to provide recent Chicago–Kent graduates valuable training, ongoing education and the tools necessary to build a solo or small firm practice.

**Program status:** operational as of November 2012.

#### **Organizational details:**

- Program is operated under the auspices of a law school.
- Participants operate their own independent law firms.
- Funding: the program is funded by law school support.

- Staffing: the program is staffed by law school contract or administrative staff. Currently there is one full-time equivalent (the director).
- Malpractice insurance: the program requires participants to have insurance, but does not provide it to them.

**Types of cases that will be handled:**

- Pro bono opportunities are available, but not mandated.
- There are no income or subject matter restrictions on the types of cases that are accepted.

**Participants:**

- Participant selection: a committee consisting of faculty and senior staff review the applications. The applications all require business plans.
- Number of participants: 7–10 participants will be admitted per year
- Length of time in program: one year
- Alumni role: the program plans to have alums continue to participate by becoming future mentors and/or speak at training workshops.
- Resources provided to participants:

Free office space	✓
Subsidized office space	
A stipend or other financial contribution	
Mentoring on substantive legal issues	✓
Opportunities to shadow lawyers	✓
Assistance and training with practice management issues	✓
Free or subsidized CLE programming	✓
Free or subsidized malpractice insurance	
Online networking	✓
In-person networking	✓
Programming on client development	✓
Case referrals	✓
Pro bono opportunities	✓
Legal research resources	✓
Other resources	

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## **MISSOURI**

### **UMKC Solo and Small Firm Incubator University of Missouri–Kansas City**

**Program status:** operational as of January 2011

#### **Organizational details:**

- Program will be operated under the auspices of a law school.
- Participants operate their own independent law firms.
- Funding: the program is funded based on law school support, bar association/foundation support, donations, and revenue from the participants. Participants pay a modest rent for the office space.
- Staffing: Law school faculty and on occasion a receptionist.
- Malpractice insurance: the program requires participants to have insurance, but does not provide it to them.

#### **Types of cases that will be handled:**

- The program requires that participants take some pro bono cases and provides opportunities (but not an obligation) for taking moderate-income cases.
- There are no income or subject matter restrictions on the types of cases that are accepted.

#### **Participants:**

- Participant selection: participants are selected through a robust selection process. The participants submit an application along with a business plan. The Admission Committee meets and makes a final decision and recommendation to the Dean of the law school.
- Number of participants: 8 at any given time.
- Length of time in program: 12–18 months.
- Alumni role: encouraged to remain involved.
- Resources provided to participants: participants are provided with many of the resources available at the law school, including its network of contacts and the expertise of the law professors, ability to partner with subject-area

mentors, participants also may attend law school sponsored CLE events for free.

Free office space	
Subsidized office space	✓
A stipend or other financial contribution	
Mentoring on substantive legal issues	✓
Opportunities to shadow lawyers	
Assistance and training with practice management issues	✓
Free or subsidized CLE programming	✓
Free or subsidized malpractice insurance	
Online networking	
In-person networking	✓
Programming on client development	✓
Case referrals	✓
Pro bono opportunities	
Legal research resources	
Other resources	✓

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## NEW YORK

### **Incubator for Justice CUNY School of Law**

**Mission:** To provide training and technical assistance to public interest attorneys starting solo, small firm practices and non-profits.

**Program status:** operational as of September 2007.

#### **Organizational details:**

- Program is operated under the auspices of a law school.
- Participants operate their own independent law firms.

- Funding: the program is funded through law school support, grants, donations, and revenue from participants.
  - Grantors include City University of New York and private donations.
  - Participants pay a flat monthly license fee for the space and training.
- Staffing: the program is staffed by law school contract or administrative staff. At this time, there is 1 full-time equivalent employee.
- Malpractice insurance: the program requires that participants have insurance, but does not provide it to them.

**Types of cases that will be handled:**

- The program provides opportunities (but not obligations) for participants to take pro bono and moderate-income cases.
- There are no income or subject matter restrictions on the types of cases that are accepted.

**Participants:**

- Participant selection: participants are selected based on a public interest mission, a business plan, and references.
- Number of participants: 8 or 9 participate at any given time. Generally 3 or 4 rotate out and are replaced every year.
- Length of time in program: 18 months – 2 years
- Alumni role: provide training and mentorship. Some provide private donations.
- Resources provided to participants:

Free office space	
Subsidized office space	✓
A stipend or other financial contribution	
Mentoring on substantive legal issues	✓
Opportunities to shadow lawyers	✓
Assistance and training with practice management issues	✓
Free or subsidized CLE programming	✓
Free or subsidized malpractice insurance	
Online networking	
In-person networking	✓

Programming on client development	✓
Case referrals	✓
Pro bono opportunities	✓
Legal research resources	
Other resources	

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## OHIO

### **C|M|LAW Solo Practice Incubator Cleveland–Marshall College of Law**

**Mission:** To provide low–cost office space for graduates of C|M|Law who wish to start solo practices.

**Program status:** will be operational in December 2013

#### **Organizational details:**

- Cleveland–Marshall College of Law will essentially act as a landlord for graduate solo practitioners, with suite of offices located in the law school library.
- Participants will operate their own independent law firms.
- Funding: the program will be funded through revenue from the participants. Donations will be used to fund the initial \$1.5 million cost of the completion of the suite of 15 offices plus conference and break rooms. Participants will then pay a modest rental for the leased office space.
- Staffing: the program will be staffed by independent compensated staff. The participants will be required to fund a part–time office manager to oversee the space and handle day–to–day ministerial matters.
- Malpractice insurance: the program will require participants to have insurance, but will not provide it to them.

#### **Types of cases that will be handled:**

- The program will not specifically provide pro bono or moderate–income opportunities to its participants.

- There will be no income or subject matter restrictions on the types of cases that are accepted.

**Participants:**

- Participant selection: participants will be selected by interest, then the completion of a specified number of solo practice seminars, a 3-credit Law Practice Management course, and preparation of a detailed business plan for their practices.
- Number of participants: 8-10 graduates to be admitted in December, ultimately with up to 15 participants at any given time.
- Length of time in program: 18 months to 2 years
- Resources provided to participants:

Free office space	
Subsidized office space	✓
A stipend or other financial contribution	
Mentoring on substantive legal issues	✓
Opportunities to shadow lawyers	
Assistance and training with practice management issues	✓
Free or subsidized CLE programming	✓
Free or subsidized malpractice insurance	✓
Online networking	✓
In-person networking	
Programming on client development	✓
Case referrals	
Pro bono opportunities	
Legal research resources	✓
Other resources	

**Columbus Bar, INC**

**Mission:** To accelerate the successful development of new lawyers in an environment that provides an array of professional support resources.

**Program status:** operational as of April 2011

**Organizational details:**

- Program is operated under the auspices of a bar association or foundation.
- Participants operate their own independent law firms.
- Funding: the program is funded through bar association/foundation support, grants, donations, and program fees from the participants.
- Staffing: the program is staffed by a part–time bar association staff person, who is a lawyer.
- Malpractice insurance: the program requires participants to have insurance, but does not provide it to them.

**Types of cases that will be handled:**

- The program requires that participants do some pro bono and provides opportunities (but not an obligation) for taking moderate–income cases.
- There are no income or subject matter restrictions on the types of cases that are accepted.

**Participants:**

- Participant selection: there is an application and interview process.
- Number of participants: the program's office accommodates 6–8 people; 12–20 can participate in the INC Ltd program at a given time (this includes all resources other than physical office space).
- Length of time in program: 12–15 months
- Alumni role: alumni act as junior level mentors.
- Resources provided to participants: In addition to those listed below, resources include: technical support, cloud computing resources, phones, furniture, and copy/printer/fax capabilities.

Free office space	
Subsidized office space	✓
A stipend or other financial contribution	
Mentoring on substantive legal issues	✓
Opportunities to shadow lawyers	✓
Assistance and training with practice management issues	✓
Free or subsidized CLE programming	✓
Free or subsidized malpractice insurance	
Online networking	

In-person networking	✓
Programming on client development	
Case referrals	✓
Pro bono opportunities	✓
Legal research resources	
Other resources	✓

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## UTAH

### University Law Group University of Utah S. J. Quinney College of Law

**Mission:** To serve the low bono segment of society and to train post graduates.

**Program status:** operational as of November 2011

**Organizational details:**

- The program is a free-standing organization.
- Participants operate their own independent law firms.
- Funding: the program is funded through revenue from the participants.
- Staffing: the program is staffed by participating attorneys
- Malpractice insurance: the program has insurance that covers the participants.

**Types of cases that will be handled:**

- The program does not provide pro bono or moderate-income client opportunities to its participants
- The program applies income restrictions on the types of clients it accepts

**Participants:**

- Participant selection: the program accepts anyone who is interested.
- Number of participants: 4-6 at any given time
- Length of time in program: 1-2 years

- Resources provided to participants:

Free office space	✓
Subsidized office space	
A stipend or other financial contribution	
Mentoring on substantive legal issues	✓
Opportunities to shadow lawyers	✓
Assistance and training with practice management issues	✓
Free or subsidized CLE programming	
Free or subsidized malpractice insurance	✓
Online networking	
In-person networking	✓
Programming on client development	
Case referrals	
Pro bono opportunities	
Legal research resources	
Other resources	