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Meet the Average Lawyer: How Many Prospective Clients Has a Lawyer Practicing in the State of Washington?

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TABLE I.
Comparison of Superior Court Judicial Business With Population and Number of Lawyers

COUNTY	Population	Number of Lawyers	Population Per Lawyer	Civil Cases Begun Per Year	Number Begun Per Lawyer	Population Per Case	Civil Cases Ended Per Year	Per Cent of Cases Begun	Deceased's Estates Per Year	Number Estates Per Lawyer	Guardianships Per Year	Number Per Lawyer	Criminal Cases Begun Per Lawyer
Adams	7,719	7	1,102	55	7.9	141	21	38%	46	6.5	4	.5	2.1
Asotin	8,136	6	1,356	104	17.3	78	46	44%	47	7.6	3	.58	1.1
Benton	10,952	8	1,369	143	18.3	76	86	60%	53	6.6	7	.9	3.75
Chelan	31,634	36	878	463	12.8	68	284	61%	104	2.8	14	.4	2.1
Challam	20,449	22	929	264	12.0	77	163	61%	69	3.1	7	.34	1.2
Clark	40,316	43	937	597	13.9	70	311	52%	182	4.3	27	.6	2.6
Columbia	5,325	4	1,441	61	15.6	87	39	63%	43	10.7	5	1.25	4.8
Cowlitz	31,906	28	1,439	467	16.7	54	48	14%	91	3.2	21	.7	2.4
Douglas	7,561	4	1,890	83	20.8	91	69	81%	44	11.0	2	.5	3.25
Ferry	4,232	4	1,073	47	11.7	91	26	55%	13	3.3	4	1.0	.25
Franklin	6,137	6	1,022	104	17.3	58	97	93%	30	5.0	4	.75	2.66
Garfield	3,662	4	915	41	10.3	88	31	75%	16	4.0	3	.87	3.8
Grant	5,666	11	515	241	22.0	23	78	33%	47	4.2	3	.25	4.1
Grays Harbor	59,932	50	1,199	581	11.6	102	347	60%	220	4.4	49	1.0	1.15
Island	5,339	5	1,073	37	7.4	144	19	51%	31	6.2	3	.7	1.9
Jefferson	8,346	5	1,669	75	15.0	110	154	73%	44	8.9	4	.9	3.7
King	463,517	1,298	357	9,908	7.2	48	4,997	53%	2,384	1.8	331	.25	.37

MEET THE AVERAGE LAWYER

Kitsap	30,776	22	1,399	537	23.5	56	352	70%	194	8.8	29	1.3	2.7
Kittitas	18,154	20	907	212	10.6	84	120	56%	102	5.1	19	1.0	1.15
Klickitat	9,825	11	893	116	11.4	82	35	30%	48	4.4	4	.36	3.4
Lewis	40,034	26	1,540	292	11.2	136	178	60%	165	6.3	31	1.2	1.2
Lincoln	11,876	10	1,187	107	10.7	110	34	32%	98	9.8	8	.8	1.85
Mason	10,060	5	2,012	107	21.5	92	59	55%	36	7.3	5	1.0	3.8
Okanogan	18,519	13	1,424	246	19.0	62	164	75%	85	6.5	10	.8	5.8
Pacific	14,970	11	1,360	205	18.6	73	126	61%	53	4.86	11	1.0	1.7
Pend Oreille	7,155	5	1,431	78	15.6	92	56	72%	39	7.9	3	.7	2.0
Pierce	163,842	201	815	1,681	8.4	92	1,576	93%	885	4.4	122	.6	.8
San Juan	3,097	3	1,032	26	8.3	118	14	53%	19	6.5	1	.33	2.5
Skagit	35,142	28	1,255	308	11.0	98	218	70%	175	6.25	31	1.1	2.0
Skamania	2,891	3	963	99	33.0	29	70	66%	6	2.0	2	.83	6.6
Snohomish	78,861	69	1,143	861	12.4	91	860	53%	394	5.7	53	.7	1.0
Spokane	150,477	270	557	1,934	7.16	77	302	15%	890	3.29	107	.39	.8
Stevens	13,550	11	1,686	144	13.0	127	17	12%	109	10.0	17	1.5	2.5
Thurston	31,351	83	377	570	6.9	55	320	56%	161	2.0	25	.3	1.0
Wahkiakum	3,862	5	772	22	4.4	175	24	109%	16	3.2	1	.66	2.2
Walla Walla	28,441	36	790	342	9.0	83	166	53%	166	4.6	16	.4	2.5
Whatcom	59,128	53	1,115	539	10.0	109	328	60%	345	6.5	33	.6	1.3
Whitman	28,014	24	1,167	231	9.6	125	118	51%	165	7.0	19	.8	1.5
Yakima	77,402	106	730	800	7.5	96	290	36%	407	3.9	51	.5	2.7
State Totals-Averages.....	1,563,393	2,575	607	22,728	8.8	68	12,243	53%	8,022	3.1	929	.36	.95

¹ Report of Washington State Judicial Council, January, 1939.

² Records of Washington State Bar Association

³ Computed from Judicial Council and Bar Association figures.

⁴ Computed from Judicial Council figures.

Meet the Average Lawyer

How Many Prospective Clients Has a Lawyer Practicing in the State of Washington?

According to the law of averages, each of 2,575 lawyers admitted to practice in the state of Washington has 607 of the state's 1,563,393 inhabitants as a potential clientele. But if he restricts his activities to a particular locality, this theoretical "average" lawyer may have anywhere from 357 to 2,012 prospective clients, for if he makes his headquarters in King County he will share 463,517 inhabitants with 1,297 other lawyers, his quota being 357, while if he chooses to practice in Mason County he will be one of five lawyers in a county of 10,060 population, 2,012 of whom are presumably available to him as clients.

The average Washington lawyer begins 8.8 civil matters in the Superior Court each year, one for each 68 inhabitants of the state. During the year he will "try" (see through to final record determination in some form) 53 per cent of the number of matters he begins. He will also take into probate 3.1 estates of decedents, begin .36 guardianship and see .95 criminal Superior Court proceedings begun. Of course, he will also defend some of the 8.8 civil matters begun by his average confrere. The state average of Superior Court civil matters concluded per year, per lawyer, is 4.66, including defaults, so his actual trial defense before judge or jury will be in only a portion of this number of causes. On the other hand, included in the remainder of the causes—the 4.14 that are begun but not concluded—are the causes that are actively defended but disposed of through settlement, abandonment or otherwise at some stage short of actual court determination. Since no count is available as to the number of matters defended, the extent of this part of the practice of our average lawyer is open to conjecture.

While the counties of greatest population in general have a low ratio of population to lawyers, it cannot be said that this is positively established as a trend, for Grant County, with a ratio of 515 to 1, and Wahkiakum County, 772 to 1, are in the lower ratio classification, and both of these are well under the 10,000 mark in population. Medium sized counties in the low ratio classification are: Walla Walla, with 790 to 1; and Thurston County, 377 to 1. Spokane County, with 270 lawyers and a population of 150,447, has one lawyer to 557 inhabitants and Pierce County's 201 lawyers draw from 163,842 residents, the potential clientele being 815, more than double that of King County.

An analysis of the statistics released in January, 1939, by the Judicial Council of the state of Washington in its biennial report covering the period commencing July 1, 1936, and ending June 31, 1938, in comparison with the Bar Association count of lawyers admitted to practice law, and in conjunction with certain other available figures, leads to a variety of observations, some significant and others amusing. It is possible to visualize the average Pierce County lawyer as a gentleman who begins 8.4 civil Superior

Court actions per year, one for each 92 inhabitants of the county. He probates 4.4 estates of decedents each year, handles .6 guardianship affair and has .8 Superior Court criminal matter in the same twelve months. During this time he will see through to final determination 93 per cent of the number of cases he begins. In this regard he is equalled in diligence by the average lawyer in Franklin County, who begins 17.3 Superior Court actions and completes 93 per cent of that number in the same span of time. But the Wahkiakum lawyer surpasses both. He begins 22 Superior Court civil suits annually and completes 24, his astounding efficiency rating being 109 per cent. Holdover matters, of course, account for the seemingly unnatural percentage.

On the contrary, the figures indicate that the average Stevens County lawyer will begin 13 Superior Court cases per year, during which time he sees through final determination only 11 per cent of that number. In Cowlitz County this percentage is also low, being 14 per cent, which is just under Spokane County's 15 per cent.

Skamania County holds four records in the analysis. It has the smallest population and the lowest number of lawyers, yet these lawyers top the list for the number of Superior Court cases begun per lawyer, averaging 99 cases per year for the outstanding individual quota of 33 each. Also they lead in the number of Superior Court criminal cases per lawyer per year. But it does not follow that Skamania County residents are the most litigious. While it appears that in Skamania County one lawsuit is begun each year for every 29 inhabitants, in Grant County it takes only 23 residents to produce a lawsuit. The most peaceful citizens live in Wahkiakum County, where there are 175 inhabitants to each civil case begun in the Superior Court and this reflects itself in the business transacted by the average lawyer in that county, who begins only 4.4 civil Superior Court actions per year, footing the list by a safe margin. Even Thurston County, situs of all actions against the state in addition to the ordinary run of county court business, cannot approach Skamania and Grant Counties' low ratio of population to actions begun, for the Thurston County ratio is a fair 55 to 1, higher than King County's 48 to 1. In Spokane County one lawsuit is begun for each 77 of the population and in Pierce County the figure is 92 to 1.

Probate business seems to thrive in Stevens County, where 11 lawyers averaged 109 estates of decedents per year, approximately 10 each, in marked contrast with King County, where 1,298 lawyers saw a yearly average of 2,384 estates through the Superior Court for a ratio of 1.8 each. In Columbia County the highest ratio is found, the average Columbia County lawyer handling 10.7 estates per year.

In no county does the average lawyer handle two guardianships per year. The highest figure for guardianships is Stevens County's 1.5, closely followed by 1.2 in Lewis County and 1.25 in Columbia County. The lowest figure is Thurston's .3, providing the average lawyer with the expectation of one guardianship matter approximately every three years.

Superior Court criminal actions begun in the counties during the period covered by the report show the range to be from .25 per lawyer per annum in Ferry County to 6.6 in Skamania County with Okanogan County second in productivity, offering 5.8 such proceedings each year to its average lawyer.

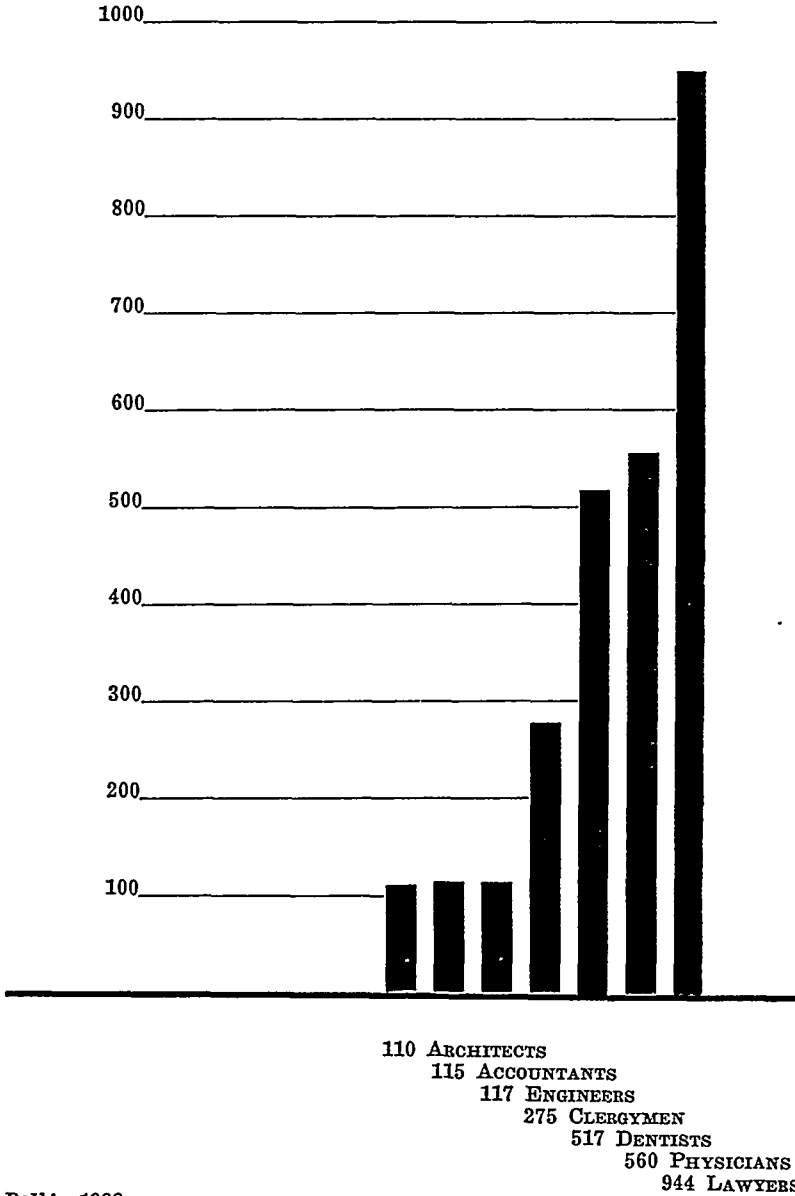
The composite King County lawyer begins 7.2 Superior Court civil cases annually—one for each 48 inhabitants of the county. He will “try” (see through to final determination of some kind) 3.9 of this number, for a percentage of 53 per cent, which percentage is average for the state. He will handle 1.8 decedents’ estates, .25 guardianship and .37 Superior Court criminal matter. Included in the 3.9 cases “tried” each year are not only his forensic battles before judge and jury, but also his routine default matters such as mortgage foreclosures and default divorces.

The figure given for the number of lawyers in each instance is from the Washington State Bar Association record of lawyers *admitted to practice*. It is true that in many instances the figures include lawyers admitted but not engaged in active practice. Without a personal canvass it is difficult to make an accurate segregation of the active from the inactive so the total figure is used. The Polk 1938 directory of Seattle and adjacent areas computes the population of the area embraced by the directory at 418,303 and lists 944 lawyers, giving a ratio of 443 to 1—considerably higher than the ratio indicated by the Bar Association count of King County lawyers in comparison with the population figures taken from the report of the Judicial Council. However, it cannot be presumed that those persons admitted to practice law who are not listed in the directories have altogether abandoned their training, experience and privileges as lawyers, and they should therefore be considered as competitive factors in the practice of law. The use of the Bar Association count rather than the lower directory count would consequently appear to be justified.

The Buckley-Dement survey for 1938 indicates that while there are thirty states having a greater population than Washington, Washington stands 13th in the nation in number of lawyers, 17th in auto ownership, 18th in number of dentists and 25th in number of physicians. Heiden’s Mailing Bureau directory counts for the city of Seattle show professional classifications as follows: 115 accountants, 110 architects, 275 clergymen, 517 dentists, 117 engineers and 560 physicians. These counts also list 263 insurance salesmen and 521 real estate operators. It is sometimes said in jest that now-a-days there is a filling station on every corner; however, the 944 lawyers shown in this listing outnumber the 553 service stations very nearly 2 to 1.

The computations in Table I included are based only on the Superior Court figures and do not reflect the potential volume of practice before the Justice Courts, the Federal Courts and bureaus, and before the State Supreme Court and departments. They do not reflect the volume of “office practice”—that which has been termed “the practice of law as distinguished from litigation”. Also, the practicing attorney serves extrastate as well as intrastate clients, so the ratio of population to lawyers is not a sure

Relative Numbers of Professional Men—Seattle, 1938



Polk's 1938
Directory,
Seattle

index to the size of the potential clientele. To the extent that the extrastate clients litigate their affairs in the courts of this state, their volume of activity is included with that of the state residents in computing the gross figures of annual Superior Court business transacted. In the ratio of Superior Court business to number of lawyers, the benefit of that business arising from non-resident clients is included.

Table II, showing the allocation and distribution of average family incomes, is appended for the purpose of illustrating the distribution of the earning power of the potential clientele. This chart is based on family units, while Table I is based on individual units, but the statistical experience of the National Emergency Council indicates that the income grouping of individuals is similar to the family grouping so the family group figures are a safe index to the distribution of earning power throughout the prospective clientele and to the income available to pay for legal services.

Table II indicates that more than two-thirds of the population—67.3 per cent—is not financially able to pay for private legal services. On a basis of present expenditures for the purposes indicated, the families whose incomes are \$1,500.00 per year, or less, and who constitute 67.3 per cent of all families, go “into the hole” from \$29.00 to \$336.00 each year. The remaining one-third control more than two-thirds of the income. The comparative figures show that the average lawyer will have to serve about two-thirds of his potential clients for a very limited remuneration, if any.

Of course, this conclusion is drawn to a sharp extreme. Actually the volume of practice emanating from income units below \$1,500.00 per year is comparatively small in proportion to the large number of units in this grouping, for their affairs are circumscribed and limited. Available figures do not disclose whether this 67.3 per cent of the population is receiving adequate representation, but since the focal point of this survey is the economic condition of the lawyer rather than the social aspect of his practice, it would appear that only about one-third of his potential clientele is financially able to pay for his services. The individual members of the bar now practicing confirm from their personal experience the necessity of handling a considerable portion of their practice without expectation of financial gain.

Statement of Facts

Your Friend, the Washington Lawyer, Works Hard and Plays Occasionally; Here He Is:

First District:

CARROLL A. CAHEN announces the opening of a law office at Edmonds. Telephone, Edmonds 174.

The SEATTLE BAR ASSOCIATION has appointed a committee to consider the organization of courses of study and lectures for the members of the bar, designed to supplement the law school training in substantive law with further training in practical matters of practice. The program will probably follow that already in operation in New York, San Francisco, Los Angeles and a few other centers on a self-sustaining basis through nominal charge for enrollment. The following topics are illustrative of the nature of the courses as given in areas in which such a service is now offered to the members of the bar:

Trial Preparation and Technique, Taxation (Income, Inheritance and Estate), Administration of Estates and Probate Practice, Bankruptcy and Corporate Reorganization Under 77-B, Collection of Claims and Judgments, Practice Before Administrative Tribunals, Appellate Practice (including brief-writing and oral argument), Drafting Instruments, Current Law.

Fifth District:

LYLE D. KEITH, of Edge & Keith, was appointed Assistant United States Attorney for the Eastern District of Washington on September 1, 1938.

The following took their examinations in July, 1938, and are Spokane County's newest members of the bar:

E. HORTON HERMAN, now with the firm of Brown & Weller, Spokane.

MAX R. WEBER, Spokane.

JOHN LALLY, now practicing with his father, Joseph J. Lavin, Spokane.

FRANK FREEMAN, now with the firm of Davis, Heil & Davis, Spokane.

JACK COOK, Northwestern Mutual Fire Association, Spokane.

DUDLEY WILSON, Spokane.

JACK CLOSE, with Attorney Edw. M. Connelly, Spokane.

TOM KELLEY, Spokane, brother of Wm. V. Kelley, Spokane attorney.

GROVER T. PATTERSON, with Western Electric Co., Spokane.

JAMES WICKWIRE, assistant librarian, State Law Library, Olympia.

On October 1, 1938, HAROLD W. COFFIN, formerly with the firm of Davis, Heil & Davis, became associated with the Vermont Loan & Trust Company, as attorney for their Spokane office.

MR. EDWARD D. HAM, formerly attorney for the Spokane office of the Vermont Loan & Trust Company, moved to Seattle on October 15 where he will be in charge of the mortgage loan department of the Prudential Life Insurance Company.

Sixth District:

ELMER M. HAYDEN, senior member of the firm of Hayden, Metzger & Blair and Past President of the Washington State Bar Association, died August 16, 1938. His death is a great loss not only to the Pierce County Bar, but to the legal profession of the State of Washington as well.

Death also took E. J. HACKETT, a member of the Pierce County Bar and Police Court Judge of the City of Tacoma for many years, who died September 4, 1938. W. G. PALMER, one of the older attorneys of Tacoma, died during the summer of 1938.

The PIERCE COUNTY BAR ASSOCIATION in September elected new officers for the following year: CHARLES S. LYONS, President; HILTON B. GARDNER, Vice-President; JOHN D. COCHRAN, Secretary-Treasurer; WALLACE W. MOUNT, HORACE G. GEER, FRANK HALE,

New attorneys in the Sixth District are PAT M. STEEL, officing with the firm of Scott, Langhorne & McGavick; WILLIAM M. GOODWIN, CYRUS HAPPY, JR., and DeWITT ROWLAND, Trustees.