



AMC 2026

Opening Plenary

**Addressing Wisconsin's
Lawyer Shortage**

Presented by:

Hon. Joel H. Bolger

Former Chief Justice, Alaska Supreme Court, Anchorage, AK

Prof. Hannah Haksgaard

University of South Dakota, Knudson School of Law, Vermillion, SD

Fr. Pius Pietrzyk, O.P.

Legal Services Corporation New York, NY

Moderated By:

Rebecca Rapp

Ascendium Education Group, Madison

About the Presenters...

Rebecca Rapp is General Counsel & Chief Privacy Officer of Ascendium Education Group, Inc., in Madison, Wisconsin. Before Ascendium, Rebecca served as a Dane County Circuit Court Judge and Assistant Attorney General at the Wisconsin Department of Justice and, before moving to Madison, at a law firm and The Children's Law Center in Washington, D.C. Rebecca is involved in several access to justice initiatives and organizations including Lawyers for Learners, which connects Wisconsin learners with free help to address legal barriers to education and employment, and Legal Services Corporation board committees and taskforces. She has received the American Bar Association's Pro Bono Publico award and the Wisconsin Bar Foundation's Gordon Sinykin Award of Excellence for her access to justice work. Rebecca received her law and undergraduate degrees from The University of Chicago and also has a master's from The University of Oxford and an EMBA from Quantic School of Business & Technology. Rebecca is thrilled to be involved with Frontline Justice and excited to how the community justice worker will expand opportunities both to provide and access vital legal help.

Joel Harold Bolger (born February 16, 1955, in Carroll, Iowa) is an American lawyer and former jurist. He served as a justice of the Alaska Supreme Court from 2013 to 2021 and as chief justice from 2018 to 2021. Bolger received his bachelor's degree in economics from the University of Iowa in 1976 and his J.D. from the University of Iowa College of Law in 1978. Prior to joining the court, he worked as a supervising attorney for the Alaska Legal Services Corporation, as an assistant public defender in Barrow, Alaska, and as an attorney with Jamin, Ebell, Bolger & Gentry. Bolger was appointed to the Valdez District Court in 1997 before being appointed to the Kodiak Superior Court in 2003. In 2008, Bolger was appointed to the Alaska Court of Appeals. In 2013, Bolger was appointed to serve as a justice on the Alaska Supreme Court. Bolger was elected Chief Justice in 2018. On November 30, 2020, Bolger announced that he would retire on June 30, 2021.

Hannah Haksgaard (née Alsgaard) is a professor at the University of South Dakota's Knudson School of Law, where she teaches and writes in the areas of family law, property law, and rural legal issues University of South Dakota. Born in Kentucky, she grew up outside Yankton, South Dakota, where she completed her K-12 education University of South Dakota. Haksgaard earned her Juris Doctor (JD) from the University of California, Berkeley School of Law in 2012 and her Bachelor of Arts in Political Science and Gender & Women's Studies from the University of Kentucky in 2009 University of South Dakota. After law school, she clerked for the Honorable Roberto Lange of the District of South Dakota and the Honorable Kermit Bye of the Eighth Circuit Court of Appeals University of South Dakota. She joined the USD faculty in 2016 and has since been recognized for her teaching excellence, receiving the Belbas-Larson Award for Excellence in Teaching in 2023 University of South Dakota. Her teaching includes courses in Property, Family Law, Reproduction & the Law, and a Law Review Writing Seminar, with prior instruction in Employment Discrimination and Modern Real Estate Transactions University of South Dakota. She also advises the South Dakota Law Review, the Family Law and Children's Advocacy program, and Women in Law University of South Dakota. Haksgaard's research focuses on the rural lawyer shortage and family law in rural areas. Her most recent work is the 2025 Cambridge University Press book *The Rural Lawyer: How to Incentivize Rural Law Practice and Help Small Communities Thrive*, which examines South Dakota's Rural Attorney Recruitment Program and its impact on rural legal practice University of South Dakota+1. She has also published in the West Virginia Law Review, South Dakota Law Review, and other journals, and has contributed to edited collections on rural access to justice University of South Dakota.

Father Pius Pietrzyk, O.P., was first nominated to serve on the Board of Directors of Legal Services Corporation by President Barack Obama on June 25, 2010, and his nomination was confirmed by the U. S. Senate on September 29, 2010. He currently serves as the Vice-Chairman of the LSC Board. Father Pius is a priest of the Order of Preachers (the “Dominicans”). He currently serves as the Vicar for Administration for the Dominican Province of St. Joseph, USA. He also serves as a judge on the ecclesiastical tribunal of the Archdiocese for the Military Services, USA. Father Pius was ordained to the priesthood on May 23, 2008, after having entered the novitiate for the Dominican Province of St. Joseph in 2002. He has a License in Theology (STL) from the Pontifical Faculty of the Immaculate Conception (Washington, DC) and a Doctoral Degree in Canon Law (JCD) from the Pontifical University of St. Thomas Aquinas (Rome). Father Pius is a former professor in the Faculty of Canon Law, adjunct professor in the Faculty of Theology, and Director of Institutional Collaboration at the Pontifical University of St. Thomas Aquinas in Rome, Italy. He also previously taught at St Patrick Seminary in Menlo Park, CA and the Pontifical Faculty of the Immaculate Conception in Washington, DC. Prior to entering the Dominican Order, Father Pius worked for three years in the Corporate and Securities practice of Sidley Austin LLP in Chicago. He obtained his law degree (JD) from the University of Chicago.

Addressing Wisconsin’s Lawyer Shortage: Lessons from Other States

State Bar of Wisconsin Annual Meeting & Conference 2026

June 11, 2026

8:00 – 9:30am

Participants: Hon. Joel Bolger, Prof, Hannah Haksgaard, Fr. Pius Pietrzyk, and Rebecca Rapp

A. What is “rural”?

1. There is no one definitive “rural” definition, but there are some common frameworks.

Definition	Size
The U.S. Office of Management and Budget ¹ (OMB) defines “rural” in terms of Metropolitan and Micropolitan Statistical Areas with “rural” defined as counties that are neither metropolitan (50,000+ urban core) nor micropolitan (10,000–49,999 urban core), based on commuting/economic ties. ²	<ul style="list-style-type: none"> • U.S. (OMB-based nonmetro): 46.2 million people (14% of U.S. residents) live in nonmetropolitan counties, spread across 72% of the nation’s land area. • Wisconsin (OMB-based nonmetro): Roughly 1.9 million people (32% of Wisconsin residents) live in nonmetropolitan counties, spread across approximately 65% of Wisconsin’s land area.
The USDA defines “rural” using the Frontier and Remote Area Codes (FAR) classification system codes that classify places by drive time to population centers, with higher FAR levels (a scale of 1-4) indicating greater remoteness and reduced access to goods/services. Most people living in the most remote zip codes are at least an hour’s drive from a major city and 15 minutes away from the nearest community of at least 2,500 people. ³	<ul style="list-style-type: none"> • U.S.: Around 12.8 million people, or 3.9 % of the U.S. population, live in FAR Levels 1–4 combined. About 63–65 % of total U.S. land area falls within FAR Levels 1–4. • Wisconsin: Around 45–50 % of Wisconsin’s land area is classified as FAR Levels 1–4. About 550,000–650,000 residents, or 9–11% of Wisconsin’s population, live in ZIP codes in FAR Levels 1–4.
The U.S. Department of Agriculture’s Rural-Urban Commuting Area Codes classify census tracts using population density, urbanization, and commuting patterns to provide a more granular measure of rurality than county-level systems. The most rural places have low population density, and most commuters are destined for areas that are also non-urbanized. ⁴	<ul style="list-style-type: none"> • U.S. (RUCA 4–10): population = approximately 67 million (20%); land area = 74% • Wisconsin (RUCA 4–10): population = approximately 1.47 million (34%); land area = 86%

¹ Office of Management and Budget, “Office of Management and Budget,” *The White House*, <https://www.whitehouse.gov/omb/>, accessed April 2026.

² U.S. Census Bureau, “Metropolitan and Micropolitan,” <https://www.census.gov/programs-surveys/metro-micro.html>, accessed April 2026.

³ U.S. Department of Agriculture, Economic Research Service, “Frontier and Remote Area Codes,” <https://www.ers.usda.gov/data-products/frontier-and-remote-area-codes>, accessed April 2026.

⁴ U.S. Department of Agriculture, Economic Research Service, “Rural-Urban Commuting Area Codes,” <https://www.ers.usda.gov/data-products/rural-urban-commuting-area-codes>, accessed April 2026.

B. What does Wisconsin's bar look like in rural areas?

1. Of the more than 16,000 active licensed Wisconsin attorneys, only 11,782 currently live in Wisconsin and only 4,110 live outside of Milwaukee, Waukesha, and Dane counties.⁵ More than two-thirds of Wisconsin residents live outside these counties, but less than one-fourth of Wisconsin attorneys do.

C. What is rural justice gap?

1. The Legal Services Corporation's (LSC) 2022 Justice Gap Report⁶ revealed that nearly 75% of low-income households had at least one significant legal issue the previous year, and low-income households did not receive any or enough legal help to resolve 92% of their legal problems.
2. It also revealed that the justice gap is even more pronounced in rural areas:
 - a. More than three-fourths (77%) of low-income rural households experienced at least one civil legal problem in the past year, and 40% experienced at least five.
 - b. Low-income Americans in rural households did not receive any or enough legal help to address 94% of their civil legal problems in the prior year.
 - c. Individuals from low-income rural households sought legal help for just 21% of the problems that substantially affected them.⁷

D. The rural justice gap is huge! Where can one even start?

1. Rural communities have the answers and must be central to any solutioning.⁸ However, many people and institutions have a role to play—including the judiciary, lawmakers, community organizations, legal aid providers, the bar, law schools, and attorneys.⁹
2. There are lots of resources, including:
 - a. The Rural Practice Series in Wisconsin Lawyer¹⁰
 - b. Wisconsin Supreme Court's Attorney Recruitment and Retention Committee Report¹¹
 - c. The Legal Services Corporation's Rural Justice Task Force Report

⁵ Paige Juel, "Solutions: Rural Practice Series—Demystifying Law Practice in Greater Wisconsin," *Wisconsin Lawyer* 96, no. 5 (May 2023): 45–46, <https://www.wisbar.org/NewsPublications/WisconsinLawyer/Pages/Article.aspx?ArticleID=29791>

⁶ Legal Services Corporation. "Justice Gap." Accessed April 23, 2026. <https://justicegap.lsc.gov/>.

⁷ ID; Legal Services Corporation. "LSC Rural Justice Report". Accessed April 2026. <https://lsc-live.app.box.com/s/mv52lja5n42j9auu0pyw107ozkzgv6d>.

⁸ Michele Statz, *The Scandal of Particularity: A New Approach to Rural Attorney Shortages and Access to Justice*, 69 S.D. L. REV. 396 (2024). chrome-

extension://efaidnbmnnnibpajpcgiclfefindmkaj/<https://red.library.usd.edu/cgi/viewcontent.cgi?article=1254&context=sdlrev>

⁹ Legal Services Corporation. "LSC Rural Justice Report". Accessed April 2026. <https://lsc-live.app.box.com/s/mv52lja5n42j9auu0pyw107ozkzgv6d>.

¹⁰ Larry J. Martin, "Your State Bar Addressing the Rural Practice Shortage," *Wisconsin Lawyer* 97, no. 9 (October 2024), accessed April 2026,

<https://www.wisbar.org/NewsPublications/WisconsinLawyer/Pages/Article.aspx?Volume=97&Issue=9&ArticleID=30671>.

¹¹ Wisconsin Court System. "Attorney Recruitment and Retention Committee Report 2025". Accessed April 2026. <https://www.wicourts.gov/publications/reports/docs/arrcreport25.pdf>.

E. Closing the justice gap is obviously of huge importance. Are there any other benefits to having legal professionals in rural areas?

1. Attorneys and other legal professionals support rural community infrastructure by enabling routine economic activity such as business formation, property and agricultural transactions, and local governance. They also expand their communities' tax base and create jobs at their firms.¹²
2. Civil legal aid has a high return on investment. It averages 7:1 nationally¹³ and is 8.4:1 in Wisconsin.¹⁴ Community Justice Worker's (CJW's) ROI in providing disaster legal assistance has been calculated as around \$25 of benefit for every \$1 invested.
3. A study of Alaska's Community Justice Worker (CJW) program found that CJWs assisted in the recovery of \$23.6 million dollars in supplementary food assistance with direct benefits resulting in an additional \$14.5 million dollars in benefit to communities (for a total of \$38.1 million) in a four-year period. The CJW's also assisted in the completion of 180 wills, which is a valuable tool in preventing the fractionalization of Native lands and supporting cultural and community preservation.¹⁵

F. Before digging into solutions, is there anything important to keep in mind?

1. Legal aid funding is woefully inadequate.
 - a. For FY26, LSC requested \$2.132B is the amount needed to fully serve all eligible applicants who seek assistance, estimated at 3.7 million people annually.¹⁶ It received \$540 million, a cut from FY25.¹⁷
 - b. Unlike neighboring states, the Wisconsin budget does not include any General Purpose Revenue for civil legal aid¹⁸ and has historically paid low rates for public defender or Guardian ad Litem appointments.

¹² Hannah Haksgaard, "Incentivizing Rural Practice,"

The Practice (Harvard Law School Center on the Legal Profession), August/September 2025, accessed April 2026, <https://clp.law.harvard.edu/knowledge-hub/magazine/issues/legal-deserts/incentivizing-rural-practice/>.

¹³ Legal Services Corporation. "The Economic Case for Civil Legal Aid." Accessed April 2026. <https://www.lsc.gov/our-impact/economic-impact>.

¹⁴ Jeff M. Brown, "Civil Legal Aid: \$176 Million Impact," *Wisconsin Lawyer* 96 (November 2023): 16–20, accessed April 2026, <https://www.wisbar.org/NewsPublications/WisconsinLawyer/Pages/Article.aspx?ArticleID=30089>.

¹⁵ American Bar Foundation, *Alaska Community Justice Brief* (Chicago: American Bar Foundation, n.d.), accessed April 2026, <https://www.americanbarfoundation.org/wp-content/uploads/2025/11/ABF-Alaska-Community-Justice-Brief-FIN.pdf>.

¹⁶ Legal Services Corporation, "Fiscal Year 2026 Budget Request," accessed April 2026, <https://www.lsc.gov/our-impact/publications/budget-requests/fiscal-year-2026-budget-request>.

¹⁷ Legal Services Corporation, "In Bipartisan Show of Support, House Passes \$540M for Legal Services in FY 2026," press release, January 8, 2026, accessed April 2026, <https://www.lsc.gov/press-release/bipartisan-show-support-house-passes-540m-legal-services-fy-2026>.

¹⁸ Megan E. Lee, "Solutions Bridging the Justice Gap Amid Growing Challenges," *Wisconsin Lawyer*, January 9, 2025, accessed April 2026, <https://www.wisbar.org/NewsPublications/WisconsinLawyer/Pages/Article.aspx?ArticleID=30809>.

2. Law school and the post-secondary education required before law school are inaccessible to many given the high cost¹⁹, in-person requirements of most law school accreditors²⁰, and inequities in undergraduate and graduate school access and attainment based on factors like parents’ educational attainment, income level, rurality, and race²¹.

School	Annual Tuition	3- Year COA (Est.)	Avg Debt (All Grads)
UW-Madison Law (Resident)	\$38,186	\$190k	\$44,994
UW-Madison Law (Non-Res) ²²	\$55,300	\$243k	\$44,994
Marquette Law ²³	\$51,970	\$222k	\$127k

G. What are some strategies for increasing rural access to justice?

1. Bring legal help to rural communities.

- a. LSC featured several methods for bringing legal help to rural communities in its Rural Justice Task Force Report:²⁴
 - i. Legal clinics on wheels—“justice buses”—can bring lawyers and legal-aid services to rural communities.
 - ii. Pro bono attorneys and law schools can establish regular clinics in rural communities.
 - iii. Technology can connect people in rural areas with attorneys in urban areas.
- b. The approach of bringing outside resources in has some limitations, however:
 - i. People may not know their stressors are legal issues or that such resources are available or could help them, may not be able to attend justice bus or clinic appointments at the available times, and may not trust a sporadic outside resource with little or no connection to the community.
 - ii. Outside organizations may have little understanding of a community’s needs or resources and may be ill-equipped to help with legal issues that require more than brief, limited-scope service or involve a constellation of interconnected issues.
 - iii. People may have difficulty accessing or using technology for remote consultations.

¹⁹ Melanie Hanson, “Average Cost of Law School,” *Education Data Initiative*, last updated July 6, 2025, accessed April 2026, <https://educationdata.org/average-cost-of-law-school>.

²⁰ National Center for State Courts, “Legal Education and Admissions Reform (CLEAR),” accessed April 2026, <https://www.ncsc.org/our-centers-projects/clear>.

²¹ Shoshana Weissmann, Braden Boucek, and Dan Greenberg, “We Can Improve Access to Justice With More Paths to Law Practice,” *U.S. Law Week* (Bloomberg Law), October 13, 2023, accessed 2026, <https://news.bloomberglaw.com/us-law-week/we-can-improve-access-to-justice-with-more-paths-to-law-practice>.

²² University of Wisconsin Law School, “Tuition & Costs,” accessed April 30, 2026, <https://law.wisc.edu/prospective/tuitionandcosts.html>.

²³ Law School Admission Council (LSAC), “Marquette University Law School,” *Official Guide to ABA-Approved JD Programs*, accessed April 30, 2026, <https://www.lsac.org/choosing-law-school/find-law-school/jd-programs/marquette>.

²⁴ Legal Services Corporation, *Rural Justice Task Force Report*, n.d., accessed April 2026, <https://lsc-live.app.box.com/s/mv52lja5n42j9auu0pywl07ozkzgv6d>.

- c. Partnering with trusted community resources—like schools, libraries, faith communities, and healthcare providers—is critically important to delivering effective legal help in rural areas.



The State Bar of Wisconsin maintains a fund to offset out-of-pocket costs in eligible civil pro bono cases where clients cannot pay. It covers expenses like mileage, transcripts, expert fees, and other essential case costs.²⁶



In Wisconsin, Law for Learners²⁷ has partnered with colleges and universities throughout the state to connect learners with free help to address legal barriers to education and employment. Likewise, LIFT Wisconsin²⁸ has partnered with libraries to bring its Legal Tune-Up tool to communities throughout Wisconsin.




2. Develop, attract, and retain more attorneys in rural areas.

Approach	Examples
<p>Expand legal career pipelines and make it easier for rural residents to attend law school.</p>	<ul style="list-style-type: none"> • Nebraska’s Rural Law Opportunities Program (RLOP) is widely regarded as one of the strongest programs for expanding legal career pipelines for rural residents. It includes: <ul style="list-style-type: none"> ○ Full undergraduate scholarships at three rural-serving institutions. ○ Opportunities to connect with the University of Nebraska College of Law starting freshman year. ○ Guaranteed law school admission if participants maintain at least a 3.5 GPA, obtain a minimum LSAT score, and satisfy other minimal admissions requirements. • The National Conference of State Court’s (NCSC’s) CLEAR Committee is considering law school accreditation reform to expand the possibilities for remote law school participation.
<p>Train law students and others on rural practice.</p>	<ul style="list-style-type: none"> • Kansas’s Washburn University School of Law maintains a Rural Law academic concentration that includes classroom coursework explicitly organized around rural practice. • Arkansas’s UA Little Rock Bowen School of Law offers a formal Rural Practice curriculum (doctrinal instruction + practice-management skills) framed around the needs of rural communities and small-town practitioners.


²⁵ State Bar of Wisconsin, “Expense Reimbursement,” *Pro Bono Program*, <https://www.wisbar.org/formembers/probono/pages/expense-reimbursement.aspx>

²⁶ *Law for Learners*. “Free, Confidential Legal Help.” Accessed April 27, 2026. <https://www.lawforlearners.com/?scLang=en>

²⁷ LIFT Wisconsin, “LIFT Wisconsin,” accessed April 2026, <https://www.liftwisconsin.org/>.

Approach	Examples
<p>Give law students the opportunity to work in rural communities.</p>	<ul style="list-style-type: none"> University of Maine School of Law operates a Rural Practice Clinic in which students live and work in a remote rural community. Equal Justice Works and law schools in Indiana, Nebraska, and Illinois also support rural internships. <hr/> <p> The Wisconsin Law Foundation administers a Rural Summer Internship Program supporting paid law school student summer internships. The contact person for the Rural Clerkship Program is Kim Burns (kburns@wisbar.org and (608) 250-6181).</p> <hr/>
<p>Financially incentivize rural practice.</p>	<ul style="list-style-type: none"> South Dakota, North Dakota, and Illinois provide stipends to attorneys who work in rural areas. The South Dakota and North Dakota programs are substantially similar and, among other things, tied the incentive to state law school tuition and required five years of rural service. The Illinois program only required a one-year commitment and had far lower retention rates. <hr/> <p> Wisconsin’s Rural Practice Program includes a \$10,000 stipend, consisting of \$5000 at the beginning and \$5000 at the end, along with additional CLE and other benefits worth around \$5000. Kim Burns (above) is also the contact person for the Rural Practice Program.</p> <hr/> <ul style="list-style-type: none"> Some schools support rural practice by including rural practice in Loan Repayment Assistance Programs (“LRAPs”). A 2019 review (by panelist Professor Haksgaard) of LRAP terms for the top 140 law schools indicated that seven law schools would cover rural practice and only two (Michigan and Berkeley) explicitly mentioned rural practice in their policies. <ul style="list-style-type: none"> <i>Note:</i> Federal Public Service Loan Forgiveness (which provides forgiveness after 10 years at qualifying government or nonprofit organizations) does not cover rural solo or law firm practice. Montana Legal Services Association and the UA William Bowen School of Law support new rural attorneys with rural incubator programs (mentorship, training, and loan forgiveness or a stipend). <hr/> <p> The Wisconsin Bar’s Rural Practice Development Program²⁹ (four participants to date) offers a similar combination of mentorship and financial stipends.</p> <hr/>

²⁸ State Bar of Wisconsin, “Rural Practice Development Program,” accessed April 2026, <https://www.wisbar.org/aboutus/overview/Pages/RuralPracticeDevelopmentProgram.aspx>

Approach	Examples
<p>Encourage succession planning and match retiring and new attorneys.</p>	<ul style="list-style-type: none"> • The Iowa State Bar Association’s Rural Practice Committee runs a structured “speed dating” Meet and Greet connecting students and rural attorneys (short meetings designed to generate summer and permanent job offers). • Washburn University School of Law in Kansas offers an online hub—open to attorneys and law students—where rural practitioners can post opportunities and connect with prospective rural lawyers (a “Match.com”-type connector). <hr/> <p> The State Bar of Wisconsin provides guidance on law practice succession planning, emphasizing lawyers’ ethical obligations to plan for retirement, disability, or unexpected absence. The guidance focuses on practical steps—particularly for solo and small-firm lawyers—to protect clients and ensure continuity of representation.³⁰</p> <hr/>

Comparison of State Rural Attorney Incentive and Placement Programs²⁹

Feature	South Dakota	North Dakota	Illinois	Wisconsin
Program authority	Legislatively created	Legislatively authorized and implemented by Supreme Court Rule	Bar administered	Bar administered
Eligible locations	Counties ≤10,000 population; municipalities ≤3,500 population	Counties ≤16,000 population; municipalities ≤5,000 population	Rural and small-town communities across Illinois	Eligible rural counties
Total stipend	\$62,568 total (\$12,513.60 annually for 5 years); tied to law school cost when created	\$45,000 total (\$9,000 annually for 5 years)	Up to \$10,000 total	Up to \$10,000 in stipends (plus around \$5600 worth of CLE and other benefits)
Service commitment	5 consecutive years	5 consecutive years	1 year	2 consecutive years

²⁹ Hannah Haksgaard, “Incentivizing Rural Practice,” *The Practice*, Harvard Law School Center on the Legal Profession, August–September 2025, accessed April 2026, <https://clp.law.harvard.edu/knowledge-hub/magazine/issues/legal-deserts/incentivizing-rural-practice/>.

³⁰ Brent J. Hoeft, “Practice Pulse: Spring Cleaning for Lawyers: Protect Your Clients Through Planning,” *Wisconsin Lawyer*, May 8, 2024, <https://www.wisbar.org/NewsPublications/WisconsinLawyer/Pages/Article.aspx?Volume=97&Issue=5&ArticleID=30421>

Feature	South Dakota	North Dakota	Illinois	Wisconsin
Funding structure	35% county/municipality; 15% State Bar; 50% Unified Judicial System	35% county/municipality; 15% ND State Bar; 50% state (Supreme Court)	Primarily funded by ISBA and donors	Donor funded
Outcomes	36 attorneys participated; 14 of 19 completers stayed rurally (as of June 2025)	4 attorneys to date; all already practicing in rural communities	37 attorneys have participated; no statistics on post-commitment retention	4 attorneys to date

3. Allow non-attorneys to provide legal advice or help currently defined as the “practice of law.”

- a. The provision of legal help by non-attorneys is not new. Non-attorneys routinely provide legal assistance internationally (like the United Kingdom’s Citizens Advice Bureau) and in federal and state administrative actions.³¹
- b. In 2025, the American Bar Association (ABA) passed a resolution³² encouraging states to adopt community justice worker or allied legal professional programs. The National Conference of Chief Justices and National Conference of State Court Administrators passed a similar joint resolution.³³
- c. A growing number of states are reforming their Unauthorized Practice of Law (UPL) rules to allow non-attorneys—community justice workers or other allied legal professionals—to do work historically reserved for attorneys. Fourteen states and DC have passed or proposed rules and at least 20—including Wisconsin—are actively developing them.³⁴
 - i. State models differ, but there are two main archetypes (with many states developing a hybrid of the two or pursuing both options).³⁵

³¹ my Widman, *Nonlawyer Assistance and Representation: Final Report* (Washington, DC: Administrative Conference of the I’ll also note that, here in WI, a working group of the A2J Commission is finalizing a draft rule modeled after WI’s student practice rule. United States, December 9, 2024), accessed April 2026, https://www.acus.gov/sites/default/files/documents/Nonlawyer%20Assistance%20and%20Representation%20-%20Final%20Report%202024.12.09_0.pdf.

³² American Bar Association, “2025 House of Delegates Annual Meeting,” accessed April 2026, https://www.americanbar.org/groups/leadership/house_of_delegates/2025hodannualmeeting/.

³³ Conference of Chief Justices, “In Support of Exploring Access to Justice Through Authorized Justice Practitioner Programs,” July 30, 2025, accessed April 2026, <https://ccj.ncsc.org/resources-courts/support-exploring-access-justice-through-authorized-justice-practitioner-programs>; Conference of Chief Justices and Conference of State Court Administrators, *Resolution 1-2025: In Support of Exploring Access to Justice Through Authorized Justice Practitioner Programs*, August 6, 2025, accessed April 2026, https://www.ncsc.org/sites/default/files/media/document/Resolution%201_Authorized%20Justice%20Practitioner_8-6_25_Fnl.pdf.

³⁴ Institute for the Advancement of the American Legal System (IAALS), “Allied Legal Professionals,” accessed April 2026, <https://iaals.du.edu/projects/allied-legal-professionals>.

³⁵ Google Sheets, [*Spreadsheet*], accessed April 2026, <https://docs.google.com/spreadsheets/d/1yJIHSRy9k-l8wq8D6QRpqAuuFNLUiyQwpRNv1m9VTSs/>.

Category	Community Justice Worker (CJW) Model ³⁶	Limited Licensed Professional (LLP / LP) Model ³⁷
Core Design	Community-embedded nonlawyers perform discrete, task-specific legal assistance with training and attorney or legal-aid support.	Independently licensed nonlawyers provide legal services within defined practice areas without attorney supervision.
Scope of Authority	Limited to clearly defined tasks (e.g., form completion, procedural guidance, limited advocacy) and routine civil matters.	Authorized to give legal advice, prepare and file documents, negotiate, and appear in court within licensed scope.
Training & Oversight	Training is modular and “right-sized,” with ongoing mentoring and quality control by lawyers or law firms.	Competency is ensured through education or experience requirements, testing, character review, ethics rules, and bar discipline.
Archetype Example	Alaska	Arizona
Pros	High scalability and geographic reach; strong community trust; effective early intervention in legal deserts.	Clear accountability and consumer-protection structure; independent practice; predictable regulatory framework.
Cons	Ongoing reliance on attorney capacity for supervision; variability across programs; potential administrative burden.	Higher entry costs and longer pipeline; slower workforce growth; significant licensing infrastructure requirements.



In November 2025, the Wisconsin Supreme Court’s Attorney Retention and Recruitment Committee³⁹ included among its proposals the “creation of avenues for non-attorney professionals to provide legal services.” The court consequently directed Wisconsin’s Access to Justice Commission to conduct a study. A working group is currently drafting a petition based on Wisconsin Supreme Court Rule 50 (“Practical Training of Law Students”),⁴⁰ which it plans to submit this summer.

³⁶ Tanina Rostain and James Teufel, “Measures of Justice: Researching and Evaluating Lay Legal Assistance Programs,” *Fordham Urban Law Journal* 51, no. 5 (2024), <https://ir.lawnet.fordham.edu/ulj/vol51/iss5/6/>, accessed April 2026.

³⁷ Arizona Judicial Branch, “Legal Paraprofessional,” accessed April 2026, <https://www.azcourts.gov/cld/Legal-Paraprofessional>.

³⁸ Wisconsin Supreme Court Attorney Recruitment and Retention Committee, *Attorney Recruitment and Retention Committee Report* (2025), 15, <https://www.wicourts.gov/publications/reports/docs/arrcreport25.pdf>, accessed April 2026.

³⁹ Wisconsin Supreme Court, *Supreme Court Rules, Chapter 50: Practical Training of Law Students*, <https://www.wicourts.gov/sc/rules/chap50.pdf>, accessed April 2026.

- d. A study of Alaska’s CJW program shows that CJWs (1) serve communities and people that attorneys are not—including in incredibly remote areas—and (2) often come from the communities they serve, including trusted community resources, which allows them to build bridges with people who may not know their stressors are legal issues, trust the legal system, or know how to get legal help.

Alaska Snapshot

After an earlier effort that sunset in Washington, Alaska kicked off the recent wave of state regulatory reform in 2022 when the Alaska Supreme Court authorized Alaska Legal Services Corporation to host a CJW program. A study of Alaska’s CJW program’s results⁴⁰ from 2021-2025 found the following.

- CJWs are currently located in **forty-eight communities across Alaska, compared to ALSC’s twelve staffed offices**. About one-third of CJWs identify as Alaska Native, compared to 20% of ALSC staff.
- By the end of 2024, CJWs were serving nearly 4 cases for every one case served as volunteer attorneys. Between 2022 and 2024, the number of cases served by CJWs increased by 1,575%.
- Across over 1,400 SNAP cases, CJWs assisted in **the recovery of \$23.6 million dollars in supplementary food assistance with direct benefits** flowing to roughly 850 households and 2,800 people.... Standard techniques for estimating these impacts suggest that these monies resulted in an **additional \$14.5 million dollars in benefit** to the communities where people received them.
- Alaska CJWs also assisted in the completion of 180 wills, helping prevent the fractionalization of Native lands and supporting cultural and community preservation.
- The estimated financial return on investment from public benefit value for people and their communities under a federal grant focused on disaster legal assistance was approximately **\$25 of benefit for every \$1 invested**.

- e. Research from established lay-advocate programs in Alaska, internationally, and the federal administrative system shows that in routine, high-volume civil matters—such as housing, public benefits, and family law—nonlawyers can perform discrete legal tasks accurately and effectively, often matching or exceeding attorney outcomes where procedures are standardized and stakes are clearly defined.

⁴⁰ American Bar Foundation, *Analysis of the Social and Economic Impact of the Alaska Community Justice Worker Program (2021–2025)* (Chicago: American Bar Foundation, 2025), <https://www.americanbarfoundation.org/wp-content/uploads/2025/11/ABF-Alaska-Community-Justice-Brief-FIN.pdf>, accessed April 2026.

The Evidence: Quality Check⁴¹

Scenarios Where Non-Attorneys Perform As Well or Better than Attorneys	Scenarios Where Attorneys Provide Distinct Value
<ul style="list-style-type: none"> • High-volume, routine civil matters with standardized procedures (e.g., eviction, debt collection, uncontested family matters). • Administrative and benefits proceedings in which specialization and procedural fluency drive outcomes. • Form completion, factual development, and procedural guidance that reduce defaults and increase participation. • Tribunals and problem-solving courts with limited evidentiary complexity. • Early-stage legal issue identification and referral, especially for underserved populations. 	<ul style="list-style-type: none"> • Complex litigation involving novel legal issues, significant discovery, or appeals. • High stakes matters with severe or irreversible consequences. • Cases requiring sophisticated negotiation, adversarial strategy, or power balancing. • System-shaping litigation involving precedent, statutory interpretation, or constitutional questions.

- f. Drawing from best practices in the adult-learning and postsecondary education and workforce development space, Frontline Justice has a task force⁴² focused on developing “right sized” training modules for community justice workers, based on the work they will be doing and what they need to know to do it effectively.



Wisconsin is one of the states for which it is developing pilot modules, initially focused on SNAP benefits and Medicaid.

⁴¹ Rebecca Sandefur, “Legal Advice from Nonlawyers: Consumer Demand, Provider Quality, and Public Harm,” accessed April 2026, <https://www.law.stanford.edu/wp-content/uploads/2020/06/04-Sandefur-Website.pdf>; Institute for the Advancement of the American Legal System (IAALS), “Studies on Obtaining Legal Advice from Certified People Who Are Not Lawyers,” accessed April 2026, https://iaals.du.edu/sites/default/files/documents/publications/sandefur_studies.pdf; Administrative Conference of the United States, *Nonlawyer Assistance and Representation in Agency Adjudications*, Recommendation 2024-7 (Washington, DC: Administrative Conference of the United States, December 17, 2024), accessed April 2026, <https://www.acus.gov/document/nonlawyer-assistance-and-representation-agency-adjudications>.

⁴² Frontline Justice, “The Task Force,” accessed April 2026, <https://www.frontlinejustice.org/task-force>.

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Speakers



Hon. Joel H. Bolger

Hon. Joel H. Bolger, Senior Justice, Alaska Court System. Justice Bolger can speak to the unique challenges posed by Alaska's geography and his experience advancing innovative court-based solutions, from rule changes to the strategic use of technology. He also brings valuable credibility, having addressed access-to-justice issues in a state with no law schools.



Prof. Hannah Haksgaard

Prof. Hannah Haksgaard, University of South Dakota Knudson School of Law, and author of *The Rural Lawyer: How to Incentivize Rural Law Practice and Help Small Communities Thrive*. Prof. Haksgaard has interviewed all 32 participants in the South Dakota Rural Attorney Recruitment Program and, in addition to offering best practices for successfully attracting and assimilating lawyers into communities, she can share details about innovative approaches being taken in other states.



Fr. Pius Pietrzyk

Fr. Pius Pietrzyk, Vice Chair of Legal Services Corporation's Board and Co-Chair of the LSC Rural Justice Task Force that produced the recent report on access to justice in rural America. Fr. Pius has been asked to address the broader economic consequences of limited legal resources, and the impact on the legal system statewide when unrepresented parties contribute to the development of poor case law, particularly in situations where flawed decisions go unchallenged, or where bad policy goes unchanged.



Rebecca Rapp

Rebecca Rapp, General Counsel of Ascendium Education Group, is involved in several access to justice organizations in Wisconsin and nationally. She helped establish Law for Learners, which connects learners throughout Wisconsin with free help to address legal barriers to education and employment, and co-chaired LSC's Rural Justice Task Force. She has received the Wisconsin Law Foundation's Gordon Sinykin Award of Excellence and the American Bar Association's Pro Bono Publico Award for her access to justice work.

Executive Summary

The Legal Services Corporation (LSC) is the single largest funder of civil legal aid in the United States. With LSC's support, legal aid providers offer free legal services to low-income persons in every state and territory. Each Congressional district in the nation is served by a nonprofit legal aid organization that provides life-changing (and in many cases life-saving) services to Americans in need, including survivors of natural disasters and domestic violence, families and individuals facing loss of their homes, seniors struggling with crushing debt, veterans unable to access the supportive benefits they've earned through service, and more.

Since 2005, LSC has periodically measured the need and extent of Americans' civil legal issues relative to the resources available to meet these needs.¹ The difference is known as the justice gap.^{2,3} As one result of this research, LSC identified a need to examine the unique challenges rural Americans face in finding assistance to resolve their civil legal problems. In December 2021, LSC convened the Rural Justice Task Force (Task Force) to examine this issue.⁴ This report details the Task Force's findings.

This report summarizes the Task Force's key learning and the unique contours of the justice gap in rural communities. This report also highlights model practices and innovations in rural America to narrow the justice gap. Lastly, this report offers recommendations for federal and state legislators, state and tribal courts, civil legal services providers and private practitioners, law schools and other stakeholders to ensure that more low-income rural residents can get the legal assistance they urgently need.

Assessing the Rural Justice Gap

LSC's 2022 [Justice Gap Report](#) found that low-income households in the U.S. did not receive any or enough legal assistance to resolve 92% of their legal problems.⁵ In rural communities, the situation was even more severe, rising to 94%. Closing the justice gap is an immense challenge throughout the nation, but addressing the problem in rural America requires an understanding of the unique characteristics that exacerbate challenges and leave people underserved.



Glimpses of rural America.



This report delves deeper into some of the conditions that contribute to the justice gap like poverty, housing insecurity and substance dependency. It also identifies difficulties encountered by distinct rural communities — including low-income agricultural workers, Native Americans, veterans and senior citizens — and how these challenges may contribute to their specific legal needs.

For more information about this report, LSC or the Task Force's work, visit www.lsc.gov/rural.



Addressing Key Barriers to Justice in Rural Areas

In the course of its work, the Task Force focused on four barriers to justice in the nation's rural and remote areas. This report explains each of these barriers, highlights ways communities address them and offers recommendations for further action. The barriers in this report are as follows.



Clients meet with a Legal Aid of Arkansas attorney during the organization's 2024 Spring Break on the Road to Justice Clinics, which brought free estate planning services to Augusta, Wynne and Marked Tree, AR.

- **The shortage of attorneys in rural areas.** There is a severe shortage of legal professionals in rural areas throughout the U.S. This leaves many rural Americans unsure of where to go when they need a lawyer. Without clear places to turn for help, people may struggle to recognize when their everyday challenges — whether financial, housing or health-related — are actually legal in nature.⁶ This lack of access not only hides legal issues in plain sight, it also contributes to a sense that the legal system is out of reach, eroding trust in the justice system itself.
- **The digital divide.** The rise of online technologies holds enormous promise for reducing barriers to justice for residents of the nation's rural communities. However, too many Americans, including a disproportionate number of rural Americans, still do not have reliable internet access at home. Many also lack the skills and equipment needed to utilize online legal services.
- **Distance and transportation obstacles to accessing legal help.** While people living in urban and suburban areas tend to have public transportation options, people in rural areas often need to own or have access to a vehicle to travel anywhere for services. The combination of travel distances and transportation obstacles inhibits rural residents' access to the courts and legal and other forms of assistance.
- **Community trust and local needs.** Rural communities across the country are far from a monolith. Each has its own traditions, values and circumstances. These unique qualities sometimes make it harder for residents to seek or access legal help. In some communities, challenges are further shaped by factors like local laws, language differences or the kinds of work people to do, all of which influence how, when and where residents seek help. Expanding access to justice in rural America depends on building trust — trust that begins with listening, understanding and respecting what matters most to local residents — and tailoring services to meet the specific needs of each community.

Solutions and Recommendations

Rural communities and practitioners have met many of these challenges head on. The recommendations and solution spotlights in this report highlight practical solutions and show how lawmakers, courts, legal aid providers, academia, the organized bar and other stakeholders have and can take concerted action to expand legal services and support in the nation’s rural communities. The Task Force’s purpose is exploring, understanding and elevating the tremendous work that is happening to close the rural justice gap so that others in rural communities and beyond can learn about and shape solutions that address their communities’ needs.



The Task Force offers the following recommendations to bridge the rural justice gap.

Recommendations to address the shortage of attorneys in rural areas.

- 1 Elevate the rural justice gap via research, communications, task forces and convenings.

- 2 Invest in programs to increase the number of lawyers in rural and remote communities.




- 3 Expand opportunities for professionals beyond lawyers to help close the rural justice gap.

- 4 Provide current and prospective rural practitioners with support to manage student loan debt.






- 5 Offer practical courses on starting and running small law practices and fund programs encouraging rural practice.

- 6 Expand benefits and programs for rural practitioners, such as reduced dues and fees and targeted training on succession planning.


Recommendations to bridge the digital divide.

- 1 Apply a human-centered approach to deployment of technology.

- 2 Prioritize broadband expansion.

- 3 Use online platforms and face-to-face support to expand the availability of legal assistance to rural clients, including virtual consultations and support from attorneys in urban and suburban areas.


Recommendations to ease distance and transportation obstacles.

- 1 Scale proven models for easing local access to federal infrastructure funding and resources for transportation.

- 2 Expand court modernization to increase remote access.

- 3 Bring legal help closer to people.

- 4 Experiment with and support various types of access to physical and virtual services to see what works best in reaching targeted client groups.

- 5 Establish rural legal clinics in collaboration with law schools.


Recommendations to build community trust and meet local needs.

- 1 Expand partnerships with community-based organizations serving low-income rural populations to connect residents to critical legal aid services.

- 2 Train community members, staff and volunteers without formal legal credentials to serve as first responders and navigators for rural clients in need.

- 3 Train judges, lawyers, client-facing staff and volunteers on cultural factors impacting distinct rural populations.

- 4 Widen pathways to pursue legal education for rural residents and members of underrepresented communities to encourage more rural practitioners..

- 5 Use high- and low-tech community outreach tactics to raise awareness about the availability of free legal help




LEAD ARTICLE From *The Practice* — August/September 2025

Incentivizing Rural Practice

Policy responses to the rural lawyer shortage

Hannah Haksgaard

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August/September 2025

Legal Deserts

The following is an excerpt (chapter 3) from [The Rural Lawyer: How to Incentivize Rural Law Practice and Help Small Communities Thrive](#) (Cambridge University Press 2025), reprinted with permission from the author and publisher. A short Q&A with author Hannah Haksgaard follows the chapter.

Introducing the August 2025 Issue

Incentivizing Rural Practice

Mapping Legal Deserts

Tribal Lay Advocates Expand Access to Justice

Tracing the Threads of Rural Legal Scholarship

Confronting Antirural Bias

Today, Dylan Kirchmeier is a rural lawyer in South Dakota. Kirchmeier is the prosecutor for Roberts County, which has just over 10,000 people. The Sisseton Wahpeton Oyate reservation covers most of the county, including the county seat of Sisseton where Kirchmeier practices.

In 2013, though, Kirchmeier was a high school student serving as a page in the South Dakota legislature. One day, while attending a committee hearing, Kirchmeier heard debate about a proposed bill to provide incentive payments for rural South Dakota lawyers. That bill became law. Kirchmeier decided to become a lawyer with the intention of using the program to start a career in rural South Dakota. In 2020, Kirchmeier graduated law school and entered the program.

Rural lawyers are declining in number, and the real question is whether the trend can be reversed.

The legislative process that Kirchmeier saw led to South Dakota's Rural Attorney Recruitment Program, the nation's first – but certainly not last – attempt at solving the rural lawyer shortage. This chapter introduces various policy responses to the rural lawyer shortage, including South Dakota's legislation and strategies tried in other states. After surveying what is happening across the country, this chapter introduces the rest of the lawyers who have taken part in the South Dakota program.



Figure 1. Dylan Kirchmeier.

Turnaround opportunities

Rural lawyers are declining in number, and the real question is whether the trend can be reversed. There are skeptics – [a Kansas judge says there is no “realistic solution”](#) to the lack of rural lawyers. A North Dakota justice told me his own state’s Rural Attorney Recruitment Program is not going to solve access to justice problems. But there are also those who see rural communities, and rural law practice, as having a level of resiliency that will allow growth.

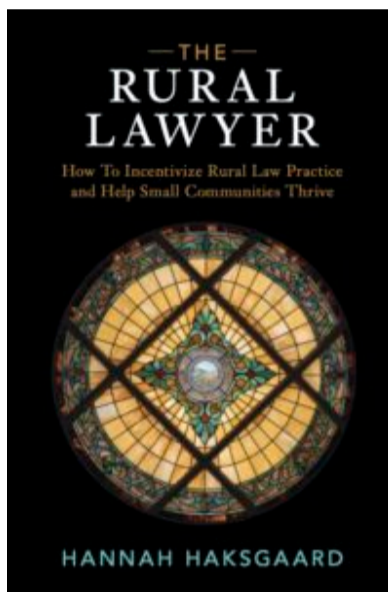
In [writing more broadly about rural communities](#), [David Brown and Kai Schafft track](#) the reversals of migration to and from rural areas since the 1970s. The turnarounds in rural population growth have been brief, and overall rural areas have lost population, especially in comparison to urban and suburban communities. But there have been moments when rural areas have become popular, most recently during the COVID-19 pandemic as more space became appealing and remote work became possible. With greater internet connectivity, living in rural America is less isolating than it once was and rural people now have access to much of the information available to those in urban areas. Brown and Schafft argue that movement to rural areas will only occur when rural economic conditions are good. Certainly, for lawyers a rural legal practice will be more tempting when the economy is good enough that clients can pay. On the other hand, rural practice may be more enticing when urban lawyers are struggling in a down economy.

When [Sarah] Thorne surveyed her fellow law students..., over 80 percent said they would consider rural practice in exchange for partial student loan forgiveness.

Sarah Thorne was a law student at the University of South Dakota during the 2008 financial crisis when lawyer jobs were in short supply. Thorne was part of a law school cohort where many new graduates were, in her words, “going to have to just go out on our own and attempt to wing it” in law practice. The firms in cities were not hiring; many government agencies had hiring freezes. At Thorne’s law school orientation, Chief Justice Gilbertson of the South Dakota Supreme Court spoke about pursuing practice in small towns. Later, when Thorne had to draft legislation for a class assignment, she drafted

legislation authorizing loan forgiveness for rural lawyers. Amazingly, when Thorne surveyed her fellow law students for her research, over 80 percent said they would consider rural practice in exchange for partial student loan forgiveness. This is not exactly what Brown and Schafft predict about rural migration because the rural economy was not good at the time, but it (at least hypothetically) offered some comparative advantages, including loan forgiveness as an offset to poor economic conditions. Of course, there was no loan forgiveness program for rural lawyers, and 80 percent of Thorne's classmates did not head out to practice in rural South Dakota. Yet, that law student paper planted seeds for policy changes to come.

The Rural Lawyer: How to Incentivize Rural Law Practice and Help Small Communities Thrive (Cambridge 2025)



The Rural Lawyer takes a close look at the challenges

facing small-town America, where populations are dwindling and aging lawyers are not being replaced by new graduates. With interviews and personal accounts, the book shows how incentive programs can address this access-to-justice crisis. It specifically examines the South Dakota Rural Attorney Recruitment Program, which is the first program of its kind in the United States and has seen great success in helping to attract new lawyers to small towns. Chapters also explore the larger context of rural economic development and its relationship to the law. With insightful analysis and real-life examples, *The Rural Lawyer* provides readers with a deep understanding of the challenges facing rural communities and the role that lawyers can play in helping these areas thrive

Thorne's paper was passed onto Chief Justice Gilbertson, who was already advocating for some sort of program to incentivize rural practice. Gilbertson started his career as a rural attorney in 1975 in his hometown of Sisseton, population 2,428. After he became a member of the Supreme Court, Gilbertson regularly drove across rural South Dakota for decades. After noticing rural firm after rural firm disappear as attorneys retired or died, Gilbertson began to think about how to recruit new rural attorneys. Early on, Gilbertson realized the financial limitations faced by new graduates with high student loans. In consultation with the executive director of the state bar association, he decided that "the best way to encourage small town attorneys" would be "some kind of a financial incentive to take the fear" out of going to a small town.

As the state's Chief Justice, Gilbertson addressed the legislature every year in his State of the Judiciary Address. Gilbertson started talking about the rural lawyer shortage in these addresses in 2005. For several years the legislature did not respond to Gilbertson's call to action. But then in 2013 State Senator Mike Vehle came to visit Gilbertson a few days after the speech. Vehle sponsored legislation, but in an environment where other work was already happening behind the scenes.

Pat Goetzinger, a lawyer practicing in South Dakota's second-largest city, was elected as the state bar president for the 2011–2012 term. Goetzinger came from rural South Dakota, having grown up in Martin, population 941. Goetzinger saw the lawyers in his hometown disappearing during the same time that Chief Justice Gilbertson was starting to talk about the hollowing out of the rural bar. Goetzinger read Thorne's law school paper, and, at the urging of Gilbertson, Goetzinger spoke with Thorne about her idea for incentivizing rural practice. Tom Barnett, the executive director of the state bar, was crucial in forging these connections for Goetzinger and in ultimately supporting his vision. Goetzinger adopted rural recruitment as his project for his year as state bar president.

Once Goetzinger decided to focus on rural lawyers during his term as state bar president, he still needed to *do* something. With the help of Tom Barnett, Goetzinger launched a task force, bringing Bob Morris – a small-town attorney and past president of the state bar – to chair the task force, which became known as “Project Rural Practice.” The task force began by bringing together stakeholders, including county commissioner representatives and municipal representatives, then brought together what Goetzinger called the “big three” – the state bar, the Unified Judicial System (basically, the judiciary and the administrative wing of the judiciary), and the state's only law school at the University of South Dakota. With the law school under the deanship of Tom Geu, originally from rural western Nebraska, the “big three” were all led by men who grew up in rural America.

Goetzinger heard skepticism from many people, but he had Chief Justice Gilbertson, Barnett, Geu, and Morris on his side,

meaning the judicial system, the law school, and the state bar had a strong coalition to make *something* happen to resolve the rural lawyer shortage. These men worked hard and built a coalition. They also encountered what Goetzinger called “serendipitous things.” Bob Morris simply called it “dumb luck.” For example, meeting the ABA leadership at a conference and getting national attention through an ABA resolution regarding rural lawyers, which in turn made the national and local news. Goetzinger credits the ABA resolution and media coverage “as a catalyst to crafting legislation” the following year. It helped that Goetzinger's law partner David Lust was the house majority leader in South Dakota and was an “advocate” and “natural” ally in the legislative effort once Senator Vehle decided to take action.

The legislation

A year after Goetzinger's state bar presidency and the ABA resolution on rural lawyers, and after years of hearing Chief Justice Gilbertson talk about rural lawyers in his State of the Judiciary address, Senator Mike Vehle “took the initiative to walk into Chief Justice Gilbertson's office and say ‘are you gonna do something about this, or just talk about it?’” Vehle mentioned stipends for medical professionals and asked about pursuing a similar program for lawyers. Suddenly, there was a partner in the legislature willing to make this happen. The Project Rural Practice Task Force, by then co-chaired by Goetzinger and Morris, stepped back into an advisory role while the program moved through the



Figure 2. Author and law professor Hannah Haksgaard (pictured above) traveled all over South Dakota to conduct interviews for *The Rural Lawyer*.

legislative process. Vehle was not a lawyer, though the prior summer a rural lawyer named Shane Penfield had told Vehle that “small towns really need attorneys” to [fix client and community problems](#), including to spur economic development.

What South Dakota passed into law in 2013 was truly unique.

In 2013, Vehle introduced legislation. Vehle’s first legislation had funding going to law students rather than practicing lawyers; those law students had to have connections to South Dakota; and counties under 12,000 in population could participate.¹ The legislation failed in the Senate, but Vehle was undeterred. He listened to critiques, amended the language of the bill, and took advantage of a procedural workaround by “hoghousing” (or taking over) a bill about transfer on death deeds.² By doing this, Vehle was able to substitute in his rural lawyer bill, this time getting enough votes. Chief Justice Gilbertson found extra money in his judiciary budget to fund the 50 percent match from the state. Lust helped obtain funding approval in the House of Representatives. It passed both chambers and was signed into law on March 21, 2013, by Governor Dennis Daugaard.

What South Dakota passed into law in 2013 was truly unique. Nothing similar had ever happened in a state legislative body in the United States. States had long used financial incentives to attract medical professionals to rural or underserved areas. But incentivizing lawyers to go rural was new. While there was thoughtful planning behind the bill, a lot of fast decisions had to be made. There was no model legislation to follow; no sister state with a law to copy. Instead, the South Dakota team did their best to write something entirely new.

This initial legislation called the program the Recruitment Assistance Pilot Program, limited to a maximum of sixteen attorneys and only available until 2017. Counties under 10,000 in population could participate in the program. Under the legislation, participating attorneys had to stay for five years. If they left before serving five years, they would have to repay the stipends they had received. The stipend amount was calculated based on 2013 tuition at the University of South Dakota School of Law. Unfortunately, “everyone was so giddy” that the bill might actually pass that future inflationary increases were not built into the bill. To be fair, very little could have been done in 2013 to create an effective escalator clause in the legislation. Because a portion of the funding comes directly from the state, any future inflationary increases would need approval from the legislature, secured on an annual basis. Now, program administrators are thinking about how to get legislative approval for an escalator clause, though even with such a clause the budgeting process would need legislative approval. If the stipend were growing with inflation, it would be over 16,000 dollars per year in 2024, rather than stuck at 12,513.60 dollars per year as it was calculated in 2013.

One key piece of the legislation is defining which counties are eligible to participate. The 2013 legislation allowed counties under 10,000, which is admittedly arbitrary. The population line could have been drawn anywhere. Chief Justice Gilbertson originally picked 12,000 as the cutoff, which the first proposed legislation used. The final legislation decreased that population cutoff to 10,000. That population line includes most of South Dakota’s counties as indicated by the darker counties in Map 1.

ability of lawyers to participate by allowing thirty-two attorneys to participate at any given time, but imposing no limits on the ultimate number of attorneys who can ever participate.⁵

More programmatic changes have been decided at an administrative level without requiring legislative approval. These have included changes to pro bono requirements, mandatory mentorship, and making full-time prosecutors ineligible. The trial and error of the South Dakota program was inevitable, but also not problematic. The team of people invested in the program's success have been able to navigate necessary changes to keep the program working for South Dakota. Chief Justice Gilbertson retired in 2021, and current South Dakota Supreme Court Chief Justice Steven Jensen now talks about the program as one that is flexible except where constrained by legislation. Jensen's view is a useful one – one of the takeaways from the interviews I conducted is that flexibility is important. Because the program was a first-of-its-kind approach, the people running the program have been open to change over time. The Project Rural Practice task force continues to innovate, including, in October 2024, setting up several new working groups to strategize future improvements. Because the authorizing statute is broadly written to allow various locations and types of practice, the program has been more successful for more rural attorneys than a narrowly drawn program would have been.

Other policy responses

At the same time that South Dakota was working its way through the first ten years of the Rural Attorney Recruitment Program, other states were considering whether to attempt something similar. In 2021, North Dakota, through administrative rule rather than legislation, created a program almost exactly like South Dakota's. The usage in North Dakota has been different, with only four participating attorneys and all four being practitioners who were already in their rural areas when they applied for and received the stipend. One more state – Illinois – offers a stipend to rural lawyers. Illinois is substantially less at only 10,000 dollars maximum, though requiring only a one-year commitment. Illinois has seen higher numbers of participants, but substantially lower rates of retention in rural communities.

There has been interest in developing similar funded programs in other states, but nothing else has come to fruition. Most of the failed bills were much more constrained anyway. For example, sometimes only for rural public defenders or only for tuition reimbursement.⁶ Work continues across the country. As just a few examples: [Kansas is currently studying solutions to its rural lawyer shortage](#). The [Oregon State Bar recently extended](#) its Loan Repayment Assistance Program to cover rural settings. The [Colorado Access to Justice Commission received a 627,000-dollar grant to work on solutions to the rural lawyer shortage](#). The Dakotas have certainly made the biggest dollar investment for paying practicing lawyers, though other states have invested in different types of programs, which are worth analyzing.

In 2023, law professor Lisa Pruitt [collected and categorized different state policy responses](#) to the rural lawyer shortage. Though the programs are constantly in flux and programs have already changed, her categorizations remain useful to understanding policy responses. Beyond stipends to practicing lawyers, like South Dakota, North Dakota, and Illinois have done, there are incubators, succession planning programs, channeling urban resources to rural areas, and expanding pathways to rural practice. There is an even newer strategy being tested in several states, expanding licensing opportunities for lawyers in rural areas.

Incubator programs are designed for new graduates to learn how to launch a law practice. They are often, but not always, associated with law schools. The [ABA tracks incubators](#), reporting over seventy-five programs in existence since 2007, a few of which are rural focused. The incubator system is largely directed at solo practitioners serving low- and middle-income clients. They offer a modest stipend, but provide substantial structured mentorship.

Montana and Arkansas have created rural-focused incubators. Montana Legal Services Association has a rural-focused incubator program with a 24-month commitment from new practicing lawyers. The lawyers go to underserved rural areas, but are given substantial mentorship and training along with loan forgiveness. In Arkansas, the [current incubator program](#) is administered by a faculty member at the William H. Bowen School of Law and targeted specifically to its alumni. Lawyers work in underserved rural areas, receiving up to 10,000 dollars in start-up costs for an eighteen-month commitment. Both programs require participants to engage in pro bono work; both programs aim to provide the necessary support to make the lawyers launch successfully. The incubator mentorship in Arkansas has relied on volunteer attorneys. After a solid start, the Arkansas incubator was without a director for several years, stalling placements in rural areas. It turns out that sustaining rural-focused incubators has been difficult. [California had one briefly](#), but it shuttered before really getting off the ground. Arkansas, though, is discussing significant improvements to its program.

Other states have developed programming aimed at facilitating succession planning in rural areas. These programs, though, are less developed. Much has been done to connect law students with retiring lawyers, but less to facilitate the actual transition of the firm. In my own interviews with new and retiring attorneys, I heard varied perspectives about what retiring lawyers expect. Some retiring lawyers view succession planning as a way to sell a firm and book of business for a profit. Aspiring rural lawyers in South Dakota told me that they walked away from retiring lawyers trying to charge too much. On the other hand, some retiring rural lawyers see succession planning as an investment to ensure a new attorney comes to town to take care of their clients. A lawyer like this, instead of charging the new attorney for “buying” the practice, might sell a building or its contents, but then spend time and lose money helping the new attorney take over. No program has successfully targeted resources at older attorneys as an incentive for them to train and hand off offices.

Then there are the programs that bring urban lawyers and resources to rural areas. A Minnesota project called “[Justice Buses](#)” encapsulates one strategy – taking lawyers from more urban areas, putting them on buses, and having them bring legal services to more rural communities. These types of programs are most often conducted through legal aid offices and law school clinics. Short-term legal assistance is not as good as permanent local counsel. However, these programs are usually providing free services to clients that likely could not afford to hire a local lawyer, even if one were present.

The largest grouping of state programing can be lumped together and generally described as pathway programs.

Another way to leverage urban resources to serve rural communities is through the use of technology. For decades, there have been proponents of using technology to provide legal services in rural areas. However, rural areas still have technological deficiencies that prevent this from being a real, long-term solution. Urban lawyers providing representation in rural areas may successfully fill gaps in legal assistance, but it cannot be a primary path forward. Urban attorneys are unfamiliar with local norms, both in and outside of the courtroom. Local issues often need local solutions, though specialized attorneys in urban areas certainly provide critical assistance in more complicated matters when rural lawyers want to make referrals.

The largest grouping of state programing can be lumped together and generally described as pathway programs, though those come in a variety of packages. Nebraska has the most robust system, with the [Rural Law Opportunities Program](#). Nebraska recruits rural high school students as they enter college, providing an undergraduate scholarship and exposure to law school and rural law practice. This program sees students through four years of undergraduate education and three years of law school. That long-term investment means that Nebraska is only now seeing graduating lawyers

come out the other side, with several initial graduates choosing not to practice in rural areas. Other programs are less time- and resource-intensive, but also attempt to encourage prelaw students to consider rural practice.

Law schools themselves take part in encouraging rural practice by offering rural courses and clinics to law students. Law school students take part in job fairs and mentorship programs with rural attorneys. Summer stipends for law students, whether through the school or state bar, can bring those students to rural areas when no local attorney can afford to pay a summer intern. Those funded stipends can help with building connections between aspiring rural lawyers and rural practitioners.

There is [also an opportunity for each school to support rural lawyers after graduation through Loan Repayment Assistance Programs](#) (“LRAPs”). In looking through LRAP terms for the top 140 law schools, my best guess is that about seven law schools would cover rural practice, with only Michigan and Berkeley explicitly mentioning rural practice in their policies. LRAPs are generally only available at larger, more expensive schools, but they can provide loan forgiveness for rural practitioners not covered by federal loan forgiveness.

Finally comes the nascent policies focused on easing licensure requirements with the goal of expanding the pool of attorneys willing to go to rural areas. In 2023, the [Nevada Supreme Court issued a rule](#) allowing twelve months of limited practice for law school graduates working full time for legal aid, rural prosecutor, or rural public defender offices. Several more states have policies that allow alternative pathways to full licensure, though the programs are not aimed specifically at rural lawyers. In South Dakota, a committee has recommended a [pathway program to licensure](#) for traditional public service jobs or for private practitioners working in communities that qualify for the Rural Attorney Recruitment Program. The South Dakota Supreme Court, in 2024, continues to move forward with the proposal, which would create a pilot program allowing students heading to rural areas or public interest jobs an option to submit a portfolio rather than take the traditional bar exam.

All of these programs – from funding for lawyers, to recruitment, to loan forgiveness, to eased licensing requirements – can play a role in recruiting and retaining rural lawyers. For a relatively young policy issue, a lot has been tried. Without a doubt, some rural lawyers have been incentivized by these various programs. This book’s focus is on the South Dakota program because it was the first and remains the most expansive. Now with a ten-year history to study, there is enough information to start understanding how a rural lawyer incentive program works in practice.

The South Dakota lawyers

After Governor Dennis Daugaard signed the initial legislation in 2013, the recruitment process began in South Dakota for the rural attorneys and rural communities who wanted those lawyers. Jake Fischer was the first participant to enter the program, Clay Anderson the second. Then, in the first ten years of the program, thirty more lawyers followed with signed contracts and boots on the ground in their rural communities. Those thirty-two attorneys – and their successes and failures – are the focus of this book. A bit more about those attorneys is needed by way of introduction.

At the ten-year mark of the program, in 2023, there were twenty-four participating attorneys practicing law in their rural communities. Twenty-four of thirty-two attorneys, then, are still in their rural communities. The other eight left rural practice. Three participants – Jake Fischer, Casey Jo Deibert, and Amanda Work – completed their five years then left their rural communities. Fischer returned to Minnesota, his wife’s home and where he attended law school. Deibert and Work both moved to Pierre, South Dakota, where they work as government lawyers.

Five participants left during their five-year obligations. Evan Hoel had – by far – the shortest stint. He was in rural practice for only three weeks before moving to Rapid City to work as a full-time public defender. During those three weeks, Hoel had done some

work as an assistant prosecutor but had not yet taken on any of his own clients. I include Hoel in the study because I think his experience is useful to understanding the initial stress and concerns that most of these participants had about rural practice. Hoel, though, never acquired clients and never practiced law, so his experience is not reflected in discussions of the practice of law.



Figure 4. A typical rural courthouse in Wessington Springs, South Dakota.

Elizabeth Steptoe was in practice less than a year before deciding to step away from the practice of law. Steptoe, though, has deep connections to her rural community, and did not move after leaving rural practice. Instead, she still lives on the same farm but teaches in the local school. Also lasting less than a year was Ryan McKnight, who similarly left for a teaching job. But for McKnight, his job offer was to teach at a college on the other side of the state. McKnight is unique because his wife Brittany Kjerstad McKnight graduated from law school in the same year, and they entered rural practice together. However, the county commissioners were not going to approve and fund two participants. Accordingly, only McKnight had a contract even though Kjerstad McKnight could have been a participant. Kjerstad McKnight is not included in the thirty-two lawyers that form this study, though I interviewed her in the same fashion as those thirty-two lawyers. I bring in her story as appropriate throughout the book because her experiences are very similar to other new rural attorneys.

At the ten-year mark of the program, in 2023, there were twenty-four participating attorneys practicing law in their rural communities.

Two attorneys made it into their second year before departing. Amanda LaCroix was in rural practice for over a year, but health insurance and other factors pushed her to leave. She took a salaried job with the state government in Pierre, which she still holds today. Kasen Lambeth was in rural practice exactly two years before receiving a job offer in the larger community of Vermillion, South Dakota, where he moved. The book explores

these departures in more detail, including an analysis of whether the departures can be viewed as policy failures, or whether they are inevitable transitions that happened as part of changing lives.

Of the twenty-four participants still in their rural communities, twelve had finished their five-year commitments by the ten-year anniversary in 2023. Of those twelve with completed contracts, most are full-time rural lawyers, while four attorneys are doing something less than full-time rural practice, though all four continue to be at least a part-time rural attorney. Those four part-time rural attorneys are Dusty Ginsbach who works in the oil fields of northwestern South Dakota; Clay Anderson who is more of a businessman than a lawyer; Jennifer English who contracts with a nearby larger county to do involuntary commitments; and Ashley Anson who is connected with a firm in a larger community, splitting her time between her rural office and its larger office, with plans to transition to a career in counseling.

The other eight attorneys who have finished their five-year contracts are full-time rural practitioners. Kristian Ellendorf, Austin Hoffman, Amy Jo Janssen, Kristen Kochekian, Zach Pahlke, Victor Rapkoch, Jackson Schwandt, and Stephanie Trask are all rural lawyers with no intention of leaving the full-time practice of law.

Then there are the twelve attorneys who were in their five-year contract window in 2023 at the ten-year anniversary. Dylan Kirchmeier and Kathy Zenner are both full-time prosecutors in rural communities with intentions to stay. Kirby Krogman, Rachel Mairose, Abigail Monger, and Mason Juracek have part-time prosecutor positions and part-time private practices – again, they all plan to stay in their rural communities. Then, finally, Rachelle Norberg, Derrick Johnson, Cody Miller, Cole Romey, Austin Schaefer, and Cassie Wendt are rural lawyers who either practice solo or with small law firms – and, again, they all intend to stay.

This group of thirty-two lawyers makes up the Rural Attorney Recruitment Program participants from the first ten years of the program. Their experiences are valuable in telling us about the realities of rural practice in today's world. This includes where the pressure points are that require assistance, and, therefore, how a rural lawyer incentive program can help.

While there is no racial diversity among the participants, there is diversity of gender, background, and political affiliation. Overall, the participants tend to be from rural backgrounds and tend to be conservative, yet there are participants from larger cities and participants who are politically liberal. There have been seventeen men and fifteen women participate in the program. Equal numbers of women and men (four each) have left the rural practice of law either during or after the five-year commitment.

The wider perspective

New lawyers begin rural legal careers every year, and the story this book tells is a small-scale version of what happens every year in jurisdictions across the United States when new lawyers start practicing in rural areas. But it also tells a story unique to South Dakota, because South Dakota provides a stipend to support its new rural lawyers.

In 2024, NPR ran a story with the headline “[One of the World's Greatest Instrument Collections Is in South Dakota, of All Places.](#)” Can you imagine South Dakota, *of all places*, having a museum? Apparently that is hard to imagine, at least for NPR. Can you imagine South Dakota, *of all places*, being the nation's leader in incentivizing rural practice? I hope so, because it is. Though when the [New York Times first introduced this program to the national media in 2013](#), the *Times* did not even mention South Dakota in the headline. Instead, it simply announced that “one rural state” had created a rural lawyer incentive program.

South Dakota does not often make headlines for being the best at anything. We have the nation's best musical instrument museum. We have the nation's best trust laws (or worst, depending on your perspective). The museum came about by happenstance. The part-

time legislature has been able to craft those trust laws with major industry help and as part of a larger economic strategy. Just like relaxed credit card laws boosted the state's economy, so does the trust industry. South Dakota's innovations in legislation have nearly always been about earning money, not spending money. It's not so obvious why South Dakota innovated a program for rural lawyers, even though this government spending is partially for the benefit of helping local economies.

The first-in-the-nation aspect led me to do this deep study of how the program and its participants are faring.

Sometimes it feels like lightning struck in South Dakota – a fiscally conservative state became the nation's leader in funding rural attorney recruitment. But the real story leading up to the funded incentive program is a story of hard work by invested leaders who were willing to put in years of advocacy to solve a crisis. There were multiple modes of advocacy occurring simultaneously, with multiple people making a difference. There were also, quite frankly, a lot of people with power who care deeply about rural America. This is a state where rural continues to matter, and rural investment is part of the state identity. Combine all of this, and South Dakota has a funded program to help ease the rural lawyer shortage in the state.

The first-in-the-nation aspect led me to do this deep study of how the program and its participants are faring. But let me be clear. Just because my interviews are with South Dakota lawyers does not mean that only South Dakota lawyers can learn from their experiences. In fact, myself and others have heard similar feedback from rural lawyers in other states. I conducted interviews with rural lawyers and policymakers in Arkansas, Colorado, Illinois, Iowa, North Dakota, and Wisconsin. Those lawyers face similar constraints and challenges. [Elizabeth Chambliss interviewed private practice lawyers](#) at various career stages in South Carolina's poorest rural counties. [Ashli Tomisich interviewed new lawyers in Wyoming](#). Even accounting for jurisdictional difference and the different rural lawyers targeted in these studies, the reality of rural practice appears more similar than not across the country.

A Q&A with author Hannah Haksgaard on *The Rural Lawyer*

The Practice: What drew you to focus on rural legal practice in South Dakota?

Hannah Haksgaard: I grew up in rural South Dakota, and both my parents have deep rural roots, so writing about rural issues is natural to me. Once I became a law professor at the University of South Dakota, I realized I could make an important contribution by studying rural lawyers.

The Practice: What key questions and research motivated *The Rural Lawyer*?

Haksgaard: When I started research for *The Rural Lawyer*, the ten-year history of the program was quickly approaching. For almost a decade, South Dakota had received praise for having a 'first in the nation' program to recruit rural lawyers, but I wanted to collect data to figure out if the program was actually successful. By doing interviews with the rural lawyers participating in the program, I not only learned about the program itself, but I also learned a lot about the rural practice of law.

The Practice: How do you determine if South Dakota's Rural Attorney Recruitment Program was a success?

Haksgaard: At the ten-year anniversary of the program, which is the focus of *The Rural Lawyer*, 75 percent of the lawyers who started the program were still in rural practice. In a world where young adults change jobs frequently, I view 75 percent

retention as a success. Several rural communities in South Dakota went from having no lawyers to having one in town. Other rural communities were able to replace a retiring lawyer. This type of program is not fast. Only a few new lawyers will enter the program each year, but every lawyer who makes a career in the rural practice of law means the program is worth having.

The Practice: What's next – for the recruitment program and your research?

Haksgaard: The recruitment program is still going strong and is working in collaboration with a state bar taskforce to find new ways to support rural lawyers. We were just awarded the [Department of Justice's 2025 Access to Justice Prize](#) to support a new mentorship program. This year I'll be spending my research time instituting the grant by figuring out the gaps in rural mentorship and how a statewide program can fill those gaps.

Hannah Haksgaard (nee Alsgaard) was born in Kentucky, but grew up outside of Yankton, South Dakota, where she received her K-12 education. She returned to Kentucky for college before attending law school in California. During law school, Professor Haksgaard was an editor on the Berkeley Journal of Gender, Law & Justice and was a graduate student instructor in the Berkeley Legal Studies department for two undergraduate classes: Government & the Family and Reproduction, Sex & the Law. Following law school, Professor Haksgaard clerked for the Honorable Roberto Lange of the District of South Dakota and the Honorable Kermit Bye of the Eighth Circuit Court of Appeals. Professor Haksgaard joined the USD Knudson Law faculty in 2016.

Professor Haksgaard has joined a small group of scholars who write about, and propose solutions for, the rural lawyer shortage. Her scholarship on the rural lawyer shortage has specifically addressed Project Rural Practice in South Dakota, how rural practice serves the public good, the impact of hourly rates for court appointment work, and how incentive programs for rural lawyers can be informed by incentive programs for rural medical professionals. Professor Haksgaard also writes about family law issues. Her scholarship in this area mainly focuses on how family status impacts the ownership of property. She has also written about surname choice at marriage and the impact of rurality in how women access reproductive healthcare.

Footnotes

1. S.B. 218, 2013 Leg., 88th Sess. (SD 2013).
2. H.B. 1096, 2013 Leg., 88th Sess. (SD 2013).
3. S.B. 178, 2015 Leg., 19th Sess. (SD 2015).
4. H.B. 1053, 2017 Leg., 92nd Sess. (SD 2017).
5. H.B. 1046, 2019 Leg., 94th Sess. (SD 2019).
6. See, e.g., S.B. 461, 2019 Leg., 104th Reg. Sess. (Wis. 2019).



From *The Practice* — August/September 2025

Mapping Legal Deserts

Researchers explore variables, definitions, and methods

[Pro bono](#) [Professional Identity](#) [Public interest](#) [Regulation](#) [Talent](#)

[Home](#) | [Knowledge Hub](#) | [The Practice Magazine](#) | [Issues](#) | [Legal Deserts](#) | Mapping Legal Deserts

Everyone agrees that there are areas of high legal need in the United States—places where there simply aren't enough lawyers or even the right types of lawyers. But many disagree on how exactly to calculate that need.

In 2019 six academics came together to publish, "[Legal Deserts: A Multi-State Perspective on Rural Access to Justice](#)," documenting the rural access-to-justice crisis across six states: California, Georgia, Maine, Minnesota, South Dakota, and Wisconsin. The paper was critical for seeking to alleviate the scarcity of data on the rural attorney shortage. At the time, about 20 percent of the U.S. population lived in rural spaces, the coauthors note. Yet, in those same rural spaces, only 2 percent of small law practices existed.

August/September 2025

Legal Deserts

[Introducing the August 2025 Issue](#)

[Incentivizing Rural Practice](#)

[Mapping Legal Deserts](#)

[Tribal Lay Advocates Expand Access to Justice](#)

[Tracing the Threads of Rural Legal Scholarship](#)

[Confronting Antirural Bias](#)

Today, scholars are still trying to accurately map access to legal services across the United States.

Accurate data helps policymakers understand where and how to spend their time—and what sorts of interventions might help address the access gaps. Would a stipend work to entice lawyers to move to rural locations? Should community leaders tap into already existing institutions, like local community centers or churches? How about models that try to license non-lawyers to help with legal needs? Is it a pure numbers game, or is there more going on?

In this story, we speak to three researchers who have mapped the data in different regions. First, we discuss the approaches of [David J. Peters](#), professor of agricultural and rural policy at Iowa State University, and [K. Aleks Schaefer](#), associate professor of international markets, trade, and policy at Oklahoma State University. Then, we talk to [Elizabeth Chambliss](#), the Henry Harman Edens Professor of Law at the Joseph F. Rice School of Law, University of South Carolina, to understand her mixed-methods approach to mapping rural private practice in South Carolina. What we get is a portrait of why defining "legal deserts" is so challenging, along with how various scholars are contending with it—and what they think after mapping the data.

Defining legal deserts

Growing up on a farm in southwest Minnesota during the farm crisis in the 1980s, Peters became interested in “how rural communities respond to shocks and stressors.” After studying economics and sociology, he began asking a new question: What could bring people back to rural communities? As head of the [Iowa Small Towns Project](#), he concentrates much of his research on rural economic development, especially around health and agriculture. But in conversations with “people in declining communities on how to maintain the grocery store and the health care clinic and the school, another thing that came up a lot was attorneys,” he says.

Schaefer likewise came to the legal desert problem because of intersecting personal ties. After a childhood in rural Texas and Kansas, he went to law school thinking, “Now I’m going to go save the world.” In law school, he quickly realized he was learning about how to weigh and advocate for “this position versus that position,” but less so “what is the right thing to do” on a policy level. He went on to get a Ph.D. in economics, which, he said, allowed him to “quantify the pros and cons,” picking the solution that “might improve people’s livelihoods.”

Analyzing the rural attorney shortage with an economic lens, Peters and Schaefer both found issue with defining some of the terms: [What counts as “rural”?](#) What determines a “legal desert”?

“We all have a picture of what urban is in our minds, and maybe what rural is in our minds, but from one person to the next, that picture may be different,” says Schaefer, who worked with Andrew Van Leuven on the paper [“Quantifying the Rural Legal Desert Problem: Assessing Access to Justice and Legal Services in Marginalized Communities.”](#) “In reality, life occurs on a spectrum between the densest downtown Manhattan to some areas that my grandparents came from where no one lives anymore,” he adds.

“People tend to think you’re either in a legal desert or not, and the data is not that clear.”

DAVID PETERS, PROFESSOR OF AGRICULTURAL AND RURAL POLICY,
IOWA STATE UNIVERSITY

Within the federal government alone, different departments and agencies have varied definitions of “rural.” For his study, Schaefer used the [USDA Economic Research Service’s “rural-urban continuum,”](#) which relies on the U.S. Office of Management and Budget’s mapping of metro and nonmetro counties, using population density as well as other factors like relationship to labor markets and geography to define the categories.

Defining “legal desert” can be similarly confounding. “Everyone talks about what a legal desert is, but no one can actually say, Well, what is it? Is it a perception issue? Is it a quantity issue? Is it an access issue that you might have attorneys, but if they charge too much and your community is poor and people simply can’t pay to have an attorney, is that what it is? Is it a numbers issue?” asks Peters, who wrote [“Understanding Rural Legal Deserts to Inform Public Policy: Identifying and Describing Lawyer Gaps in Non-Metropolitan Counties”](#) with Emma Bartling and Emily Meyer.

In 2020 the American Bar Association first addressed the legal desert phenomena, dedicating their annual [Profile of the Legal Profession](#) to the concept and defining legal desert as “less than one lawyer per 1,000 people.”

Peters was skeptical of this classification, which felt too black and white. Instead, he sought to define legal need on a continuum “based on the severity of the shortage,” he says, differentiating what he called emerging (0.6 per 1,000), urgent (0.3 per 1,000), and critical (0.2 lawyers per 1,000) legal deserts. “People tend to think you’re either in a legal desert or not, and the data is not that clear,” he says. Peters also sought to identify legal deserts using a lawyer “gap rate,” or the demand for attorneys minus local supply, rather than just attorneys per population. “Our basic premise was that if you’re in a very small rural community without a lot of large corporations or institutions, then you might have a low attorney rate per 1,000 people, but that might be entirely appropriate for that population size and not a legal desert,” he says.

Neither Peters nor Schaefer found bar membership data to be a useful indicator of legal deserts. State bar data is self-reported and might not accurately reflect current active lawyers available for hire. Instead, Peters used law office data from the U.S. Census Bureau, while Schaefer and Van Leuven drew from Data Axle, a database that combines government sources and independent fact-checkers.

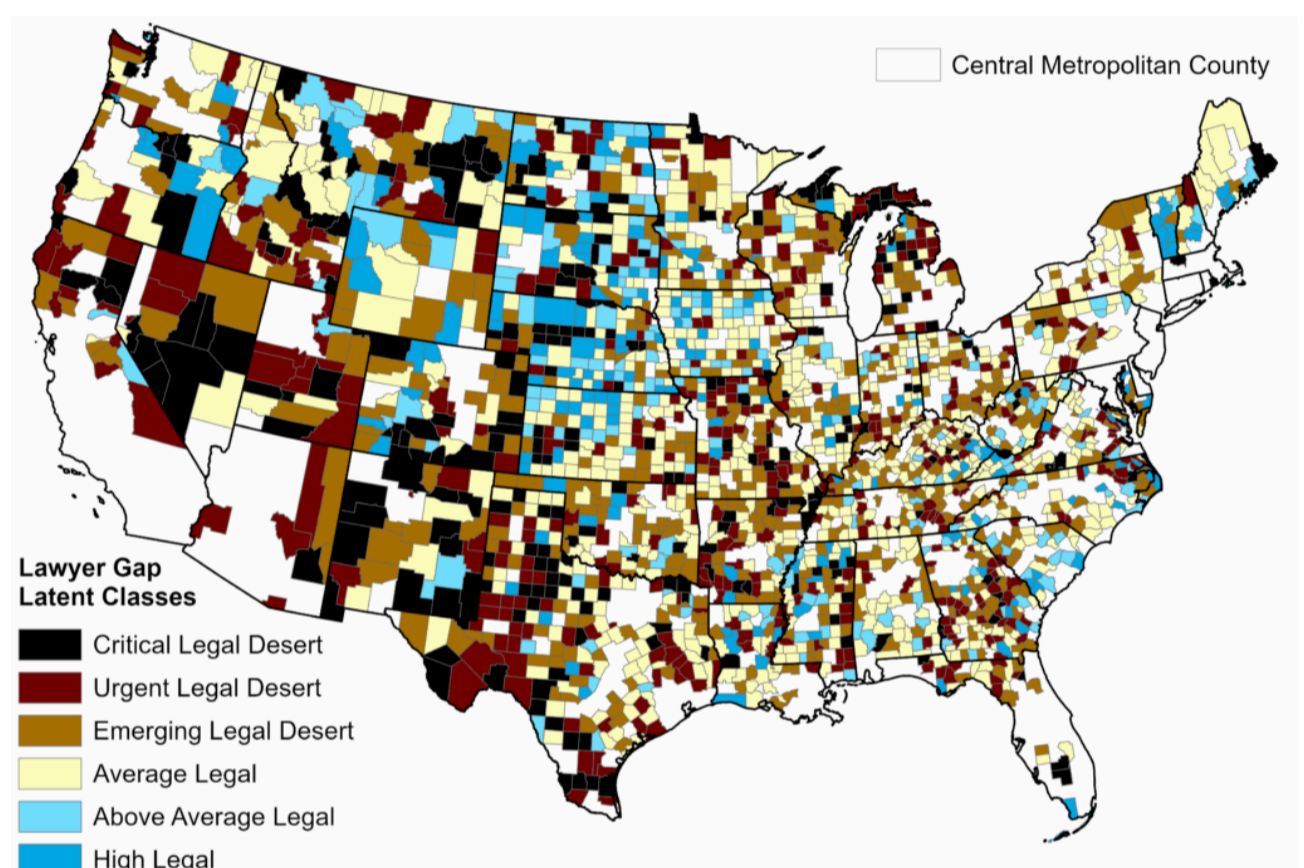


Figure 1. Lawyer gap classification for non-metropolitan counties. Reproduced with permission from Peters from “Understanding Rural Legal Deserts to Inform Public Policy.”

Peters and Schaefer, unsurprisingly, both found a legal desert problem present in the United States. But their papers provide novel information about how the realities of rural life intersect with this issue.

For instance, while Schaefer and Van Leuven found a correlation between the rate of poverty and access to legal representation, they also examined how the presence of a lawyer can bring about positive economic activity in a community. When looking at Oklahoma, for instance, the researchers calculated that lawyers are an economic multiplier, that is, “for every 100 new jobs added in the legal services sector, the regional economy should also benefit from an additional 35 jobs.” More people in rural places means more dollars spent at local businesses and office space and more jobs for paralegals and assistants and so on.

Overall, for his part, Peters calls legal deserts “more distant, disconnected, diverse, and disadvantaged.” It might not simply be a question of more lawyers if those lawyers don’t have the right legal expertise for the area, don’t speak languages other than English, and don’t know how to set up a solo practice.

The country lawyer

“There’s this image of the country lawyer—just some avuncular guy sitting on the porch talking to everybody for free. Very Atticus Finch,” says Chambliss, whose mixed-methods study, “[Rural Legal Markets](#),” provides a portrait of rural private-practice lawyers working in South Carolina—the first of its kind since the 1980s. Chambliss began looking at rural lawyers when she was developing a statewide legal needs assessment with the South Carolina Access to Justice Commission. After mapping the legal aid ecosystem, Chambliss wanted a better picture of the private bar to rectify a reigning “nostalgic view” of “rural lawyers as accessible generalists who serve the public through pro bono, low bono, and community service,” she writes.

Chambliss started with the bar data but then went further. Hand by hand, she and a research assistant culled the data—figuring out which lawyers were active, removing lawyers at nonprofits and in government, and scouring websites to understand how lawyers were marketing themselves. She also knew what bar materials lawyers subscribed to, meaning she knew what they might practice or were seemingly interested in. She combined that work with interviews.

“The number of lawyers in a location doesn’t tell you much at all about what they’re actually doing,” says Chambliss. “Once I did interviews, it was clear that what lawyers say on their website and what they actually do might be totally different. Their website could be aspirational or they had their niece do it. It’s not clear that it really represents their day-to-day.”

“There’s this idea that if you just get more private lawyers into these communities, they will serve the whole community. And I’m just not sure that that’s entirely true.”

ELIZABETH CHAMBLISS, HENRY HARMAN EDENS PROFESSOR OF LAW, JOSEPH F. RICE SCHOOL OF LAW, UNIVERSITY OF SOUTH CAROLINA

South Carolina has an access-to-justice problem, Chambliss’s research makes clear, and this problem intersects closely with rural areas. For instance, the National Center for Access to Justice Attorney Access Index and the ABA’s count on lawyers per 1,000 put South Carolina in last place. But are solo and small-firm practitioners in rural areas fulfilling that need? Chambliss’s research says no.

Her study revealed the difficulties inherent in operating as a solo in an area with high poverty and high legal need. She found that a high volume of personal injury settlement mills operating in urban areas have pulled personal injury work away from rural lawyers—the occasional car accident used to be an important way for local small-town lawyers to subsidize free and reduced legal services for family or criminal law.

“In our statewide legal needs study, the legal aid lawyers complained that none of the private lawyers do pro bono,” she says. “There’s this idea that if you just get more private lawyers into these communities, they will serve the whole community. And I’m just not sure that that’s entirely true.”

Myth-busting

Crunching the numbers revealed surprising truths for all the researchers. Peters was interested in what role money played in motivating rural lawyers to move to legal deserts. Everyone knows that city lawyers earn outside amounts, he says, but what about lawyers in legal deserts compared with other nonmetro locations? The data was surprising. “Despite differences in law office sizes, we find that lawyers in rural legal deserts earn about the same as lawyers in other non-metro counties. Average earnings range from \$44,710 per job in emerging deserts to \$48,540 in critical deserts,” Peters and his coauthors write.

Schaefer was also interested in pay. In particular, he was intrigued by the South Dakota Rural Attorney Recruitment Program, which offered a “real-life science experiment.” Could a stipend make enough of a difference to incentivize lawyers to serve South Dakota over the program’s nearly decade existence? Comparing nonrural counties in South Dakota, rural counties in Iowa, and rural counties in South Dakota over the period of the Recruitment Program’s existence showed substantial gains toward “mitigating the rural legal desert problem in South Dakota,” his study notes. In 2014 the “rural legal coverage gap” between South Dakota and Iowa was roughly 0.5 attorneys per 1,000 residents. In seven years, that gap almost disappeared.

Schaefer was surprised. The Rural Attorney Recruitment Program provides a modest stipend—just over \$12,000, or equivalent to what one year at the University of South Dakota Law School was in 2013—each year for five years. But he saw it as a “temporary program that didn’t, to my eyes, go the full way of compensating that chasm of the trade-off of urban versus rural,” he says. Why did it work, in his view? The program is more than a stipend, he says. It’s saying, “Look, we have this problem, this inherent problem in rural South Dakota or rural America more broadly,” he says. “When you show that problem to the law students, you can show them that they’re helping to solve this problem. So it becomes bigger than, Am I going to go home to my hometown versus the big city, or am I contributing to this bigger issue?”

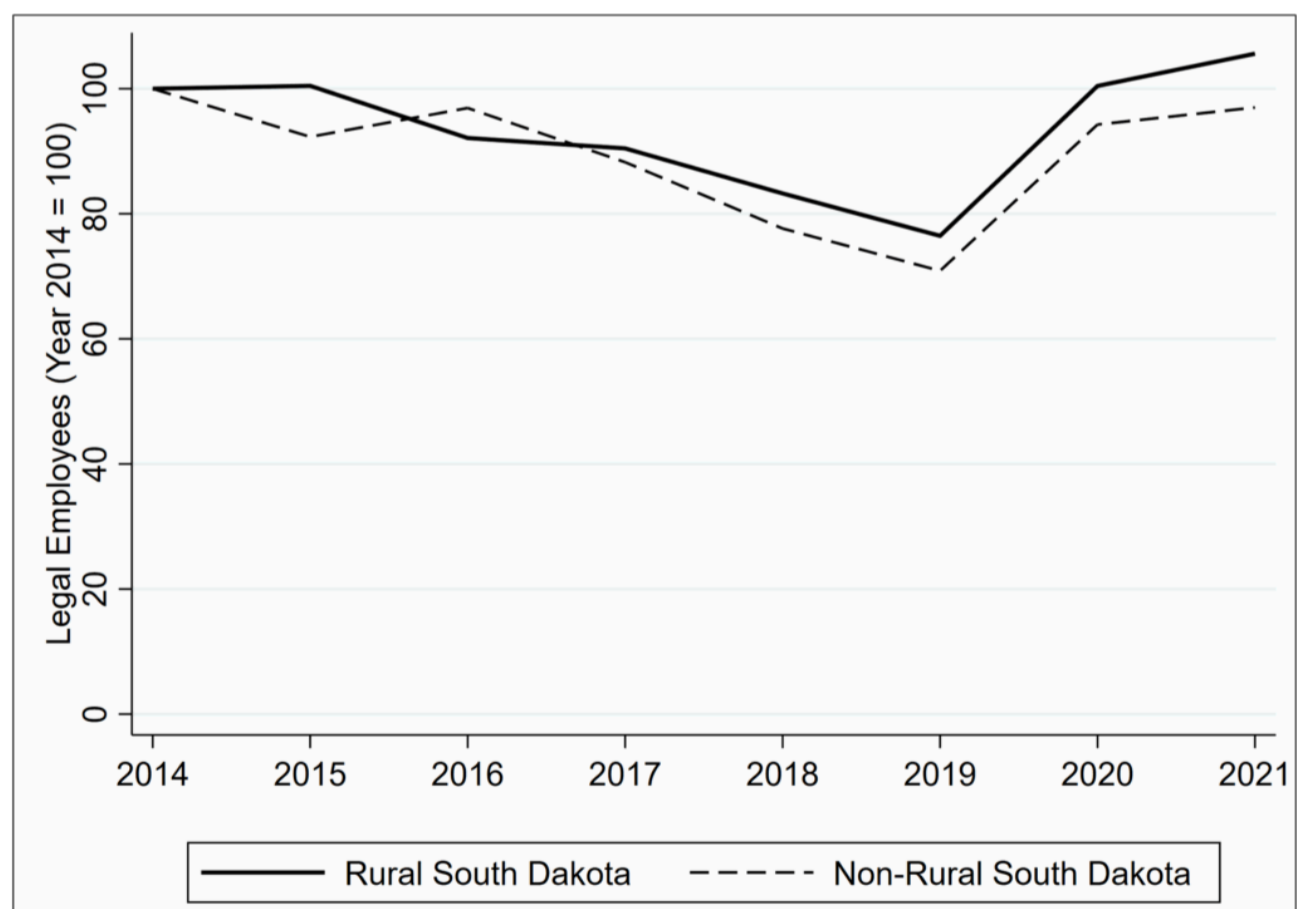


Figure 2a. Legal coverage in rural vs non-rural South Dakota. Reproduced with permission from “Quantifying Legal Deserts.”

Chambliss, who combined mapping with interviews, found discrepancies between what lawyers advertised and what they did. “The lawyers I spoke to would sometimes start by saying, Oh, I do a little bit of everything, and they would present themselves as a

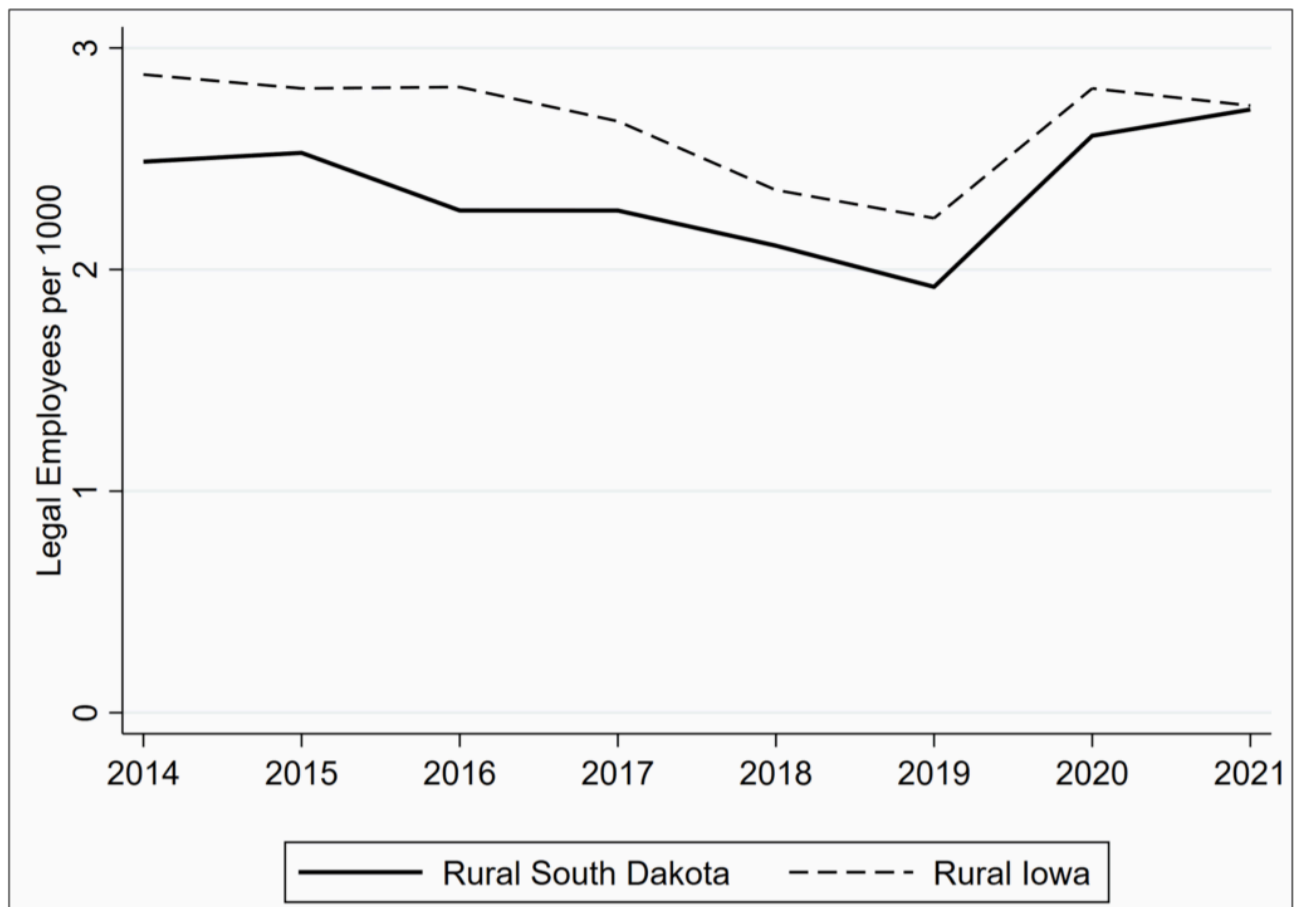


Figure 2b. Legal coverage in rural South Dakota vs rural Iowa. Reproduced with permission.

generalist. And then I'd ask, Well, what percentage of your practice is real estate? And they say, 90 percent. And it's like, OK, so maybe you do a little bit of everything once in a while, but 90 percent of your practice is a real estate practice." If a community has no one to do wills and estates or family law, but the single lawyer for 60 miles is doing mostly real estate, then legal needs are left on the table. Figuring out how to calculate demand is the next piece of the puzzle for many researchers.

Beyond legal deserts

In 2014, Lisa Pruitt and Bradley Showman authored "[Law Stretched Thin: Access to Justice in Rural America](#)," a now-seminal piece of scholarship arguing that a "thin" conception of access to justice looks at the issue too narrowly: it's not simply, can a person find a lawyer and figure out their issue in the court? What we need, the coauthors say, is a "thick" access to justice—understanding the systemic issues in a community from the ground up and starting there. "The most effective community service would address both the immediate need and the underlying issues because treating a symptom (e.g., hunger) of a larger problem (e.g., joblessness) is a limited panacea," they write. (For more with Pruitt, see "Confronting Antirural Bias.") In that piece, Pruitt and Showman deride the lack of "detailed data" to determine how great the rural attorney shortage was and is.

Today dozens of researchers are mapping legal deserts. A [2022 Legal Evolution blog post](#) by James Teufel and Michael Gallo at the Utah Office of Legal Services Innovation estimated that, assuming no redistribution of current lawyers, it would require 10,000 more lawyers to eliminate all legal deserts across the United States. But that's only numbers.

[Robust efforts from the National Center for State Courts](#) have begun using GIS to drill down on access to justice across a number of states. Their data factors in not just the number of attorneys compared with the population, but their ages, as well as other characteristics about the area, including common language proficiency, internet access, distance to a courthouse, income distribution, and more.

Why is it necessary to create such a complex portrait of intersecting need? To find where aid should go and how it should be distributed, many of these research papers communicate.

Chambliss is skeptical of rural attorney recruitment programs as a strategy for expanding access to low- and no-cost legal services, although she agrees that private lawyers play other important roles in rural communities. Plus, she notes that such programs are hard to scale. “I don’t think we’re going to recruit our way into curing legal deserts,” she says. Subsidies, if states use them, should focus on practice areas of need, like family or criminal law, she adds. A number of states, including Utah, Arizona, Minnesota, Oregon, and recently Colorado, have [licensed paraprofessionals](#) to provide legal advice and representation in limited practice areas like landlord-tenant cases or family law.

“It’s not just lawyers that we lack in rural areas—it’s doctors, it’s veterinarians, it’s all of these high-skilled, highly educated social capital building institutions that we are seeing dry up.”

K. ALEKS SCHAEFER, ASSOCIATE PROFESSOR OF INTERNATIONAL MARKETS, TRADE, AND POLICY, OKLAHOMA STATE UNIVERSITY

Peters thinks his legal desert classification system—emerging, urgent, and critical—could help sort out where money should go. “We see that as a way to inform policy and say, If you’re going to get a large subsidy from the government, then you need to practice in one of these critical legal desert counties,” he says.

“Maybe the issue is itself much bigger than just legal deserts, right?” says Schaefer. “Because when we think about rural America on a bigger scale, this brain drain has now played out over multiple generations.” He goes on:

It’s not just lawyers that we lack in rural areas—it’s doctors, it’s veterinarians, it’s all of these high-skilled, highly educated social capital building institutions that we are seeing dry up. And so when we think about the legal access issue over time, you have to think about it in that context. There has to be some sort of broader policy initiative to balance that gravitational pull of urban areas and all of these high-income sectors relative to what it would take to convince people to move to rural areas.

Schaefer is calling for “broader revitalization efforts.” Peters agrees: “There’s a whole other set of factors that contribute to why someone might not move to a rural area.”

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1994

Adopting Bar Rule 43.5
concerning waivers for non-
lawyers trained and supervised by
Alaska Legal Services
Corporation.

IT IS ORDERED:

Bar Rule 43.5 is adopted as follows:

**Rule 43.5. Waiver to Engage in the Limited Practice of
Law for Non-Lawyers Trained and
Supervised by Alaska Legal Services
Corporation.**

Section 1. Eligibility. A person not admitted to the practice of law in this state may receive permission to provide legal assistance in a limited capacity in certain civil matters in the state if such person meets all of the following conditions:

- (a) The person has completed the required training provided by Alaska Legal Services Corporation in the following areas: Rules of Professional Conduct, including, but not limited to conflicts of interest, confidentiality and duty of candor, the substantive area of law in which the person will practice, and appropriate tribunal procedures;
- (b) The person will be supervised by Alaska Legal Services Corporation;
- (c) The person will engage in the limited practice of law exclusively for Alaska Legal Services Corporation on a full-time or part-time basis or as a volunteer;

(d) The person will inform all clients in writing that they are not a lawyer and obtain consent confirmed in writing from the client to their representation by the non-lawyer.

Section 2. Application. Application for such permission shall be made as follows:

(a) The executive director of the Alaska Legal Services Corporation shall apply to the Board of Governors on behalf of a person or persons eligible under Section 1;

(b) Application shall be made on forms approved by the Board of Governors and shall include the proposed scope of each applicant's practice;

(c) Proof shall be submitted with the application that the applicant has completed the requisite training and that appropriate supervision is in place as set forth in Section 1.

Section 3. Approval. The Board of Governors shall consider the application(s) as soon as practicable after it has been submitted. If the Board finds that the applicant meets the requirements of Section 1 above and the applicant has completed training adequate for the scope of practice sought, it shall grant the application and issue a waiver to allow the applicant to provide legal assistance in the state of Alaska in the substantive areas of law in which they have completed requisite training and have supervision as required in Section 1. The scope of legal assistance will be limited to that approved by the Board pursuant to Section 2(b) of this Rule.

Section 4. Conditions. A person granted such permission may provide legal assistance in the scope approved pursuant to Section 3 of this Rule and only as required in the course of

representing clients of Alaska Legal Services Corporation and shall be subject to the provisions of Part II of these rules to the same extent as a member of the Alaska Bar Association.

Section 5. Reporting. Alaska Legal Services Corporation shall provide regular quarterly reports to the Alaska Supreme Court, and the Board of Governors regarding the number of clients served by approved non-lawyers and case outcomes, as well as any complaints related to client harm, and the termination of any active waivers.

DATED: November 29, 2022

EFFECTIVE DATE: November 29, 2022

Dissent*

Chief Justice Winfree

/s/

Justice Maassen

/s/

Justice Carney

/s/

Justice Borghesan

/s/

Justice Henderson

WINFREE, Chief Justice, dissenting:

I agree with the concept set out in this Supreme Court Order. But I am unwilling to sign the present Order in the absence of any requirement that the Board of Governors approve --- conceptually or otherwise --- the proposed training programs or that the Board of Governors maintain some structured overview of the program that can be accessed by the public, including other organizations that may wish to request a similar rule without being held to different standards.

/s/

Chief Justice Winfree

Research Brief: Analysis of the Social and Economic Impact of the Alaska Community Justice Worker Program (2021-2025)

American Bar Foundation
Access to Justice Research Initiative¹

Who are community justice workers?

Community justice workers (CJWs) are people without law licenses who are trained and authorized to provide limited legal services, including legal advice and representation, to people facing a variety of civil justice problems. Some are frontline workers like staff at shelters and food banks, faith leaders, community health workers or promotoras, or tribal and government employees; some are staff of legal services organizations; still others are students, retirees, or other community volunteers.

Why are community justice workers needed?

The United States faces an access to justice crisis of extraordinary scale, affecting people's ability to make a living, find stable housing, be healthy, and care for those who depend on them. Americans experience between 150 million and 250 million new civil justice problems every year, involving issues like food security, personal safety, access to health care, income and debt, and access to shelter.² Currently, less than 10% of the civil justice problems of low-income people receive any or enough legal help.³

Responding to this crisis requires solutions that are *effective* in connecting people to the legal help they need when they need it, *sustainable* for communities served, justice worker programs, and justice workers themselves, and *scalable* to meet America's vast crisis of unmet legal need.

- 1 This Brief shares findings from independent research funded by Alaska Legal Service Corporation to understand the work and impact of a five-state expansion of disaster legal assistance in Indian Country provided by community justice workers. The report and the Brief are authored by Matthew Burnett, JD, Rebecca L. Sandefur, PhD, and James Teufel, PhD. Dr. Teufel conducted the original quantitative analyses reported here.
- 2 See Rebecca L. Sandefur & James Teufel, *Assessing America's Access to Civil Justice Crisis*, 11 U.C. IRVINE L. REV. 753, 765 (2021). At least 120 million of those go unresolved. See THE HAGUE INST. FOR INNOVATION OF LAW & THE INST. FOR THE ADVANCEMENT OF THE AM. LEGAL SYS., JUSTICE NEEDS AND SATISFACTION IN THE UNITED STATES OF AMERICA 235 (2021), <https://iaals.du.edu/sites/default/files/documents/publications/justice-needs-and-satisfaction-us.pdf>.
- 3 The Legal Services Corporation's 2022 study of the legal needs of the low-income population finds an increase in the proportion of the civil justice issues of the poor that receive no or inadequate service, from 86% in 2017 to 92% in 2022. *Justice Gap Research*, LEGAL SERVS. CORP., <https://www.lsc.gov/initiatives/justice-gap-research>. There are no indications that this situation has improved since the study.

What is the Alaska Community Justice Worker Program?

Hosted by Alaska Legal Services Corporation (ALSC) and authorized by the Alaska Supreme Court in 2022, the Alaska Community Justice Worker Program offers Alaskans help in five legal areas: Supplementary Nutrition Assistance Program (SNAP), wills, Indian Child Welfare Act (ICWA) cases, intimate partner violence, and consumer debt. Currently over 200 community justice workers have completed at least one of the free, self-paced, asynchronous online training courses for these five areas and passed knowledge checks to verify mastery. Support for authorized justice workers is provided through the Community Justice Worker Resource Center, including continuing engagement with ALSC attorneys and staff, an online platform with trainings, templates, forms, and guides, and peer-to-peer support.

What have we learned about the effectiveness of Alaska CJWs in connecting people to the help they need?

Community justice workers provide effective services. The largest number of cases handled by Alaska CJWs involved assistance with accessing SNAP benefits. Across over 1,400 cases, CJWs assisted in the recovery of \$23.6 million dollars in supplementary food assistance to Alaskan families, children, and older adults, with direct benefits flowing to roughly 850 households and 2,800 people. During the study period, CJWs were successful in 100% of assessments of SNAP eligibility.⁴ Seventy-three percent (73%) of the cases they worked on resulted in documented receipt of SNAP benefits by clients.

Community justice workers provide impactful services. CJWs' work on SNAP cases not only helped individuals and families to address food insecurity, but also had broader community impacts. Among these were additional economic benefits to communities that SNAP generates. Standard techniques for estimating these impacts suggest that these monies resulted in an additional \$14.5 million dollars in benefit to the communities where people received them.⁵

Alaska CJWs also assisted in the completion of 180 wills. In Indian Country as elsewhere, wills are an important legal tool allowing people to voice their wishes, organize their affairs, reduce burdens on descendants, and protect generational wealth. In American indigenous communities, wills can also be a valuable tool in preventing the fractionalization of Native lands and supporting cultural and community preservation.

What have we learned about how community justice workers can scale up to meet communities' needs?

A community justice workforce can grow quickly. The reach of legal assistance can be greatly extended by incorporating different kinds of justice workers. In 2022, the CJW workforce on the ground in Alaska served about 1 case for every five cases served by volunteer (pro bono) attorneys working with ALSC. By the end of 2024, CJWs were serving nearly 4 cases for every one case served as volunteer attorneys. Between 2022 and 2024, the number of cases served by CJWs increased by 1,575%. This suggests that CJWs can scale up relatively quickly when compared with traditional models, enabling rapid deployment of help to more people.

⁴ Joy Anderson & Sarah Carver, *Community Justice Workers: Alaska's Response to the Access to Justice Crisis*, 38 MIE (2024).

⁵ Mark Zandi & Bernard Yaros, *Macroeconomic Impact of Home and Community-Based Services Expansion*, Moody's Analytics (2021).

Community justice workers can reach underserved areas and groups. Alaska community justice workers served a diverse population: over one quarter (26.5%) of their clients had a disability, 7% were veterans, and over one in ten (11.9%) had experienced intimate partner violence. Three fifths (60%) of clients were Alaska Native or American Indian. The program also allowed ALSC to extend its reach into more communities in a vast and rural state. Community justice work touched over half of the state's zip codes, including towns and villages with no attorneys and those off the road system.⁶ Community justice workers served more people outside the state's three largest metro areas than in them.

What do we know about the sustainability of community justice work in Alaska?

A community justice worker program can drive new funding opportunities. Alaska's community justice worker program has allowed ALSC to increase funding from diverse sources. Between 2022 and 2025, ALSC spent or secured approximately \$3 million in new funding for justice workers.

Community justice workers deliver a strong return on investment. A basic element of sustainability is return on investment: given the resources necessary to produce something, what value is created as a result of that investment. Initial findings from the study of Alaska's justice worker program are promising. The estimated financial return on investment from public benefit value for people and their communities under a federal grant focused on disaster legal assistance was approximately \$25 of benefit for every \$1 invested.

What do we still need to learn?

Justice workers are a relatively new source of legal help. How can people find out about them and understand what they do? Even the best service cannot be impactful if it is not used. In Alaska, our research suggests that prior experience with ALSC, advice from family and friends about where to go for help, and referrals from community organizations were the most common ways in which people connect with CJWs. What are other opportunities for effective outreach that can help people learn about justice workers and how they help?

What factors support justice workers in continuing in their roles? In these relatively new programs, we don't yet know what best helps justice workers feel supported, effective, and rewarded. In 2023, ALSC created a Justice Worker Resource Center "focused on developing tools and practices for training, workforce development, support, and sustainability..."⁷ What are opportunities for these and other efforts to sustain justice work?

As the tasks necessary to do justice work evolve, how do justice workers and programs respond? Changing eligibility standards for public benefits like SNAP and Medicaid will mean that justice workers need to participate in cases in new ways in order to be effective. How can this growth be well supported? What role can emerging technologies, such as Generative AI, play? What new training or additional authorizations may be needed for justice workers to continue as an effective frontline workforce?

⁶ *Id.*

⁷ Anderson & Carver, *supra* n. 4, p. 35.

Data and analysis.

ALSC and the American Bar Foundation research team partnered for the project. Data analyzed included case services records from December 2021 through mid-March 2025.

Recommended Citation:

Burnett, Matthew, Rebecca L. Sandefur, and James Teufel. 2025. "Research Brief: Analysis of the Social and Economic Impact of the Alaska Community Justice Worker Program (2021-2025)." American Bar Foundation Access to Justice Research Initiative. Chicago, IL: American Bar Foundation.

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Rural Practice Development Program

We are excited to continue the **State Bar of Wisconsin's Rural Practice Development Program**, an initiative designed to help bridge the gap in legal services in rural communities throughout the state. This program presents a unique opportunity for attorneys to relocate to underserved rural communities, establish or join a practice, immerse themselves in local life, and **receive a financial stipend of \$10,000**.

Program Overview

Each year, three eligible attorneys will reside and practice law in designated rural areas, for at least two years. The program's focus is on fostering long-term attorney retention, thereby improving access to essential legal services in rural Wisconsin. By encouraging attorneys to become fully invested in these communities, both professionally and personally, we aim to cultivate lasting, impactful connections between the legal profession and rural residents.

Program Benefits for Attorneys

- Work in a rural community
- Discover the advantages of living in a rural community
- Receive a monetary stipend to support your relocation
- Build meaningful connections within the community
- Help address the critical gap in legal services in rural areas

Along with the \$10,000 stipend, attorneys chosen for the program will also receive a subscription to [PINNACLE® Books Unbound for individuals](#) (valued at \$1479 annually), [PINNACLE® Ultimate Pass™ Gold](#) (valued at \$1199 annually), and, if applicable, membership in the [Lawyer Referral Service](#) panel (valued at \$125 annually) for the two-year duration of the program.

With these additional benefits, the stipend and added programs **total \$15,606**, and are designed to support you during your time in the Rural Practice Development Program!

Employer Involvement

We are also seeking employers—law firms, non-profit organizations, or government entities—that provide legal services in rural areas to participate in this program. Employers play a key role in helping attorneys integrate into the community and build sustainable practices.

We invite you to consider this exciting opportunity to make a lasting impact on the legal landscape of rural Wisconsin. If you are an attorney interested in applying, or an employer looking to participate, we encourage you to review the full program details below.

[Meet the First Attorneys in the Rural Practice Development Program](#)

Please contact Kim Burns at kburns@wisbar.org or 608-250-6181 if you have any questions.

[Attorney Information](#)

[Attorney Application](#)

[Employer Information](#)

[WI County Map](#)

The Rural Practice Development Program is sponsored by:



Rural Clerkship Program: Employers Wanted



State Bar of Wisconsin <mktg@klaviyo.wisbar.org>

To seedlist

If there are problems with how this message is displayed, click here to view it in a web browser.
Click here to download pictures. To help protect your privacy, Outlook prevented automatic download of some pictures in this message.

The State Bar is recruiting employers for the **3rd Annual Rural Clerkship Program** to connect students with rural employers in Wisconsin.

Enrollment ends November 19, 2025!

We want the students to experience the real-world legal environment. We ask employers to provide the same salary, work experience, and social opportunities to our clerkship students as they provide to any of their summer associates. **This program aims to expose students to the benefits of practicing law in rural Wisconsin.**

Students will be recruited from Wisconsin and Minnesota law schools for a limited-term, full-time, paid summer employment opportunity. Employment typically lasts eight weeks, starting after the end of the spring semester. Interested first-and second-year law students will submit a resume, legal writing sample, and personal statement on why they want to participate in this clerkship.

Students will review the employer's information and choose their top choices for interviews. The State Bar will coordinate the virtual interviews and next steps.

In agreeing to commit to participating in this program, an employer must:

- Self-identify your service area as rural and underserved (areas outside of Dane, Milwaukee and Waukesha Counties)
- Submit the Employer Description Form provided by the State Bar (educates the student on your culture and environment)
- Conduct virtual clerk interviews during the period set by the State Bar (tentatively the week of January 26)
- Employ a student full-time for at least eight weeks
- Provide information/assistance on affordable housing in the area
- Follow all labor and employment laws relating to hiring a student
- Provide a mentor to your clerk as well as feedback and regular check-ins
- Conduct virtual clerk interviews during the period set by the State Bar (tentatively the week of January 26)
- Employ a student full-time for at least eight weeks
- Provide information/assistance on affordable housing in the area
- Follow all labor and employment laws relating to hiring a student
- Provide a mentor to your clerk as well as feedback and regular check-ins
- Conduct an exit interview with your clerk at the end of the summer
- Provide the same salary, work experience, and social opportunities to your clerk as you would to any other summer associate

One of the challenges with the State Bar program is that it is unknown how many clerks are going to apply for the program. The number of employers needed for the program is dependent on the number of clerks applying. We will know in early January the number of clerks that will be in the program.

ENROLL NOW

If you have questions, please contact **Kim Burns**, kburns@wisbar.org / **608-250-6181**.
You can also visit the [Rural Clerkship Program web page](#) for more information.



Rural Practice Development Program

Application Instructions

The State Bar of Wisconsin's Rural Practice Development Program aims to address the shortage of legal representation in rural areas of the state. Each year, three eligible attorneys receive a monetary stipend if they reside and practice law in designated rural communities for a minimum of two years.

Eligibility

Attorneys who are licensed to practice law in Wisconsin and:

- Relocated to and/or began working in an eligible county after September 1, 2025,
OR
- Have not been regularly employed in and/or maintained residence in an eligible county* for the past two years. *Note: Recent graduates who completed a summer position in a rural community are eligible to apply.*

*State Bar Members who reside and work out of state are eligible to apply if they currently work in an area considered urban. (Contact [Kim Burns](#) for more information if interested.)

Application must be received no later than April 30, 2026

To apply, please submit the following:

- The State Bar of Wisconsin Rural Practice Development Program application form
- Personal statement describing why you want to practice law in rural Wisconsin
- Resume
- Reference letter with contact information (may be contacted to check reference)

Personal Statement

Please do not submit any confidential information you would not want to be available outside of this review group.

When preparing your personal statement please consider the following questions:

- Why are you interested in rural practice?
- What in your life has shaped you or influenced your goals?
- Where do you see your career in five or ten years?
- *What would be your ideal position in rural Wisconsin?
- *What area of rural Wisconsin would you consider living?
- *If you are selected for this program, what is your plan for deciding where to work and live?

* If you currently live or work in a rural area, please adjust your answers accordingly.



STATE BAR
OF WISCONSIN

Application Form

If you have any questions about this process, please contact Kim Burns, kburns@wisbar.org, 608-250-6181.

Applicant Information

Prefix: _____ First Name: _____ Last Name: _____

Mailing address: _____

Telephone: _____ Email: _____

Residential address (if different than above): _____

State Bar Number: _____ or, Graduation Date: _____

Please list other locations where you have lived over the last two years and include dates:

I have not lived in a defined county at any point during the last 24 months.

OR

Relocated to and/or began working in an eligible county after September 1, 2025.

Area(s) of Practice Information:

Current Areas of Practice and Percent of Focus:

_____	_____
_____	_____
_____	_____
_____	_____

Areas of Practice you are interested in:

Please provide reasons for this interest.



STATE BAR
OF WISCONSIN

Please rank your level of interest for each type of work:

1 is the most interesting and 7 is least interesting.

Establish your own firm

Join an existing firm

Public Defender

District Attorney Office

Corporate Counsel

Nonprofit

Other

Miscellaneous:

How did you hear about the Rural Practice Development Program?

State Bar direct email

State Bar article (InsideTrack, Wisconsin Lawyer)

Colleague/Peer

Other _____

Your signature indicates that you are eligible to apply for the State Bar of Wisconsin's Rural Practice Development Program; and that you are in good standing (or soon to be admitted) to practice law in Wisconsin.

By signing this application form, you authorize the Advisory Group to review all materials submitted and contact your provided reference(s).

If selected to participate in the program, you are required to execute Authorization for Release of Information documents.

Signature: _____ Date: _____

(Typed signature acceptable.)



Bridge the Legal Gap: Make a Difference in Rural Wisconsin

The State Bar of Wisconsin's Rural Attorney Recruitment Program is intended to help mitigate the shortage of legal representation in rural areas of the state. Each year, three eligible attorney applicants are chosen for the program and will receive a financial stipend and resources to assist with the transition to a rural area. Attorney participants will reside and practice law in a designated rural community for at least two years. By incentivizing attorneys to establish their practices in underserved regions, the program helps to improve access to legal services in rural Wisconsin while offering a unique opportunity for professional and community engagement.

Program Goal:

The goal of this program is to promote long-term attorney retention in rural communities by encouraging attorneys to become deeply invested in the local area. Attorneys are encouraged to engage in networking and community activities to integrate into the community, fostering a sustainable and mutually beneficial relationship between themselves and the residents.

Additionally, the program will highlight the critical issue of limited legal representation in rural areas and aim to showcase viable solutions for addressing this gap, ensuring that rural communities have access to the legal support they need for years to come.

Program Basics:

Attorneys must either have recently relocated to, or be willing to relocate to, a county designated as eligible under the program (see county eligibility map). If accepted, the attorney agrees to practice in that county for a two-year (24-month) period. The program provides a \$5,000 payment at the start of the commitment and an additional \$5,000 upon successful completion of the two years.

Along with the \$10,000 stipend, attorneys chosen for the program will also receive a subscription to [PINNACLE® Books Unbound for individuals](#) (valued at \$1479 annually), [PINNACLE® Ultimate Pass™ Gold](#) (valued at \$1199 annually), and, if applicable, membership in the [Lawyer Referral Service](#) panel (valued at \$125 annually) for the two-year duration of the program. These additional benefits are provided to support you during your time in the Rural Practice Development Program.

The stipend and added programs total **\$15,606** for the two years of the program!

Eligibility:

- Be a State Bar of Wisconsin member in good standing.
- Commit to work in a [defined rural community](#) for two consecutive years (24 months).
- Must meet one of the following conditions:
 - Relocated to and/or began working in an eligible county after September 1, 2025, **OR**
 - Have not been regularly employed in and/or maintained residence in an eligible county* for the past two years. *Note: Recent graduates who completed a summer position in a rural community are eligible to apply.*

*State Bar Members who reside and work out of state are eligible to apply if they currently work in an area considered urban. (Contact [Kim Burns](#) for more information if interested.)

Applicant Requirements:

- Work full-time either:
 - For a qualified employer: law firm, nonprofit organization, or government entity that provides legal services to the public or represents residents (*in-house counsel positions do not qualify*), **OR**
 - Open and operate a full-time private practice in an eligible county.
- Live and work within the program's defined geographic area.
 - Remote work from outside an eligible county is not allowed.
 - Attorneys may live in one eligible county and work in another eligible county.
 - Attorneys cannot reside outside the program area while working in an eligible county, or vice versa.
- Sign a Letter of Agreement (available upon request).

Applicant Review Process:

Each year the applications will be reviewed by an advisory group of State Bar of Wisconsin members. Current members of the advisory group may not participate in the program, nor can advisory group members be affiliated with any firm or organization that may hire a participant.

Employer Listing:

The State Bar of Wisconsin will gather a list of employers interested in hiring in the eligible areas. However, participants can find employment outside of this list or open their own practice.

Timeline:

Dates are tentative and could change due to unforeseen circumstances.

Application deadline: April 30, 2026

Notification of acceptance*: No later than May 25, 2026

Relocation plan due: As soon as possible to ensure all criteria is met, but no later than 4 months after acceptance.

Service obligation to begin: No later than six months after notification of acceptance.

*If a participant cannot meet the obligations of the program, the advisory group will determine how to proceed based on the specific circumstances.

If you are interested in applying, you can find the application [here](#). Please contact Kim Burns, kburns@wisbar.org or 608-250-6181 with any questions.

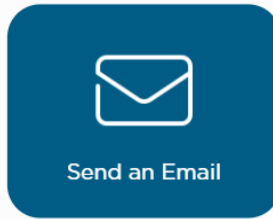


**Bridge the
Legal Gap:
Make a
Difference in
Rural Wisconsin**

Counties in yellow are eligible for the program which includes all northern Wisconsin counties as well as counties with one or fewer active attorneys per 1,000 residents. (One or fewer is defined as less than 1.1 per 1,000.)



Practice411— Practice Management Program



The State Bar of Wisconsin's Practice Management Program, Practice411, assists lawyers in delivering more efficient and effective legal services and in implementing systems and controls to reduce risk and maximize client relations.



How can Practice411 help you?

The program is geared to assist all State Bar of Wisconsin members but is of particular interest to solo and small-firm practitioners who may not have the time or resources to acquire practice management information or best practices. Practice411 shows you how to manage the business aspects of your law practice, and helps you make smart choices about everything impacting the day-to-day operations of your practice with assistance on the following:

- Business development and marketing
- Client intake and engagement
- Setting up a law firm, transitioning to a new firm, or closing down a practice
- Succession Planning
- Personnel and Operations management
- Practice management systems and process/workflow development
- Technology (hardware and software)
- Data security and privacy best practices and policy

Whether you work in the public, private, or nonprofit sectors, Practice411 can help improve your office's effectiveness and your quality of life.

For more information, please [schedule a consultation](#) or contact me at practicehelp@wisbar.org or (800) 957-4670.

The [LOMAP Advisory Committee](#) assists in the implementation and development of the program.

[Practice Management CLE](#) | [Lending Library](#) | [Online Resources](#) | [Free Practice Consultations](#) | [Practice411 E-List](#) | [Law Practice Links](#)

For more information:

• 411 Coordinator:

Brent Hoeft, J.D.
Practice Management Advisor
State Bar of Wisconsin
www.wisbar.org
(608) 250-6012
(800) 444-9404, ext. 6012
practicehelp@wisbar.org

• Book a Consultation:

<https://bookings.cloud.microsoft/book/PracticeManagementAssistanceConsultation@wisbar.org/?ismsaljsauthenabled=true>

• Follow Us:

Practice411 on [LinkedIn](#).

Checklist for Opening a Law Practice

Note: This checklist is provided as a general guideline of items to consider when opening a law practice. Depending on your specific circumstances, not everything will apply, and there may be additional considerations not listed. For customized advice specific to your practice, please schedule a consultation with the Practice Management Advisor by going to www.wisbar.org/practice411 and clicking on “Book a Consultation.”

Strategic Planning & Formation

- Define your practice area(s) and ideal client profile.
 - Geographic location
 - Physical office location, virtual, hybrid
 - Home office, office share, lease, ownership
 - Know your ideal client and where contact with them is available
- Choose a business entity (e.g., sole proprietorship, LLC, LLP) and consult SCR 20:5.7 if forming a Limited Liability Legal Practice.
 - Consult an accountant for advice on tax implications of each entity choice.
- Create your entity with the State of Wisconsin Office of Financial Institutions at <https://dfi.wi.gov>
- If you are operating as a limited liability entity, register your entity with the State Bar of Wisconsin and file annually if operating as a limited liability entity – see Limited Liability Practice Registration Form at <https://www.wisbar.org/formembers/ethics/Pages/LLC-Firm-Registration.aspx>
- Draft a business plan including financial projections, marketing strategy, and operational workflows.
- Draft an Employee Handbook and Policies manual (if hiring staff - see “Staffing and Support” below)

Insurance & Compliance

- Secure malpractice insurance in amount appropriate to your practice area and firm size.
 - Limited liability entities are required to obtain malpractice insurance
 - If you are a limited liability entity, see SCR 20:5.7 regarding minimum requirements
- Consider cybersecurity insurance for protection in the event of a data incident.
- Review ethical obligations under Wisconsin Supreme Court Rules Chapter 20 and ABA guidance.
- Contact Ethics Counsel for nuanced questions.
 - Ethics Hotline (608) 229-2017 or (800) 254-915 Ethics webpage: <https://www.wisbar.org/forMembers/Ethics/Pages/Ethics.aspx>

Technology & Infrastructure

- Consult with an IT provider
 - Implement cybersecurity protocols including encryption, backups, networks, and access controls.
- Obtain office hardware and software
 - Laptops, monitors, printer/scanner/copier
 - Select practice management software (e.g., Clio, MyCase).
 - MS 365 Business
 - Video meeting Software
- Set up a professional website
 - Do-it-yourself platforms like Squarespace or Wix.
 - Many practice management software providers offer website creation (both Clio and Mycase offer this)
 - Use a marketing firm with experience in the legal industry
 - See our State Bar of Wisconsin member discount program page <https://www.wisbar.org/aboutus/membership/membershipandbenefits/Pages/Discount-Programs.aspx>
- Consider VOIP services for business communication.

Financial & Administrative Setup

- Open business bank accounts separate from personal finances.
- Set up accounting systems for billing, invoicing, and tax compliance.
- Establish internal policies for timekeeping, billing rates, collections, and client communications.

Trust Accounting Essentials

- Understand SCR 20:1.15 governing trust account setup and maintenance.
- Review the OLR Trust Account Manual for compliance and best practices. [Managing Your Client Trust Account Manual & Workbook](#)
- Visit [WisTAF Wisconsin Trust Account Foundation Inc.](#)
 - Complete and submit the Overdraft Notification Agreement to OLR.
 - Submit the IOLTA Agreement to WisTAF.
 - Use participating banks listed by WisTAF (e.g., PNC).
 - Bring printed forms if using out-of-state branches.

Staffing & Support

- Determine staffing needs (e.g., paralegals, administrative assistants).
- Create job descriptions and onboarding materials.

- Develop employee policies including confidentiality, conduct, and performance expectations.
- Include fraud awareness and trust account handling in training.

Marketing & Client Development

- Design or hire a marketing firm to assist with branding materials (logo, website, business cards).
- Create a digital presence via website, social media, and legal directories.
- Develop a client intake process including engagement letters and conflict checks.

Practice Management Systems

- Adopt a document management system to organize and secure files.
- Establish workflows for client intake, case progression, and closing.
- Use self-assessment tools like the Wisconsin Law Firm Self-Assessment to evaluate readiness and compliance. See <https://www.wisbar.org/formembers/practicemanagement/pages/law-firm-self-assessment.aspx>

Succession & Contingency Planning

- Prepare a disability/death plan (see [WisBar - Succession Resources Page](#)).
- Designate a successor attorney or trustee in case of incapacity and register your successor under your Wisbar.org profile by logging in and going to *myStateBar* > *myProfile* > Successor Registry
- Maintain updated client file inventories and instructions for winding down.

Resources & Support

- Schedule consultations with the State Bar of Wisconsin's Practice Management Advisor for personalized guidance. www.wisbar.org/practice411 and click on "Book a Consultation"
- Join the Practice411 e-list to connect with peers and get feedback on operational questions. <https://www.wisbar.org/formembers/practicemanagement/pages/practice411-elist.aspx>
- Contact the Ethics Hotline for trust accounting and ethical questions. <https://www.wisbar.org/forMembers/Ethics/Pages/Ethics.aspx>
- State Bar of Wisconsin members have access to discounts on many practice-related and lifestyle products and services. See our Member Discounts page at <https://www.wisbar.org/aboutus/membership/membershipandbenefits/Pages/Discount-Programs.aspx>

May 08, 2024

Practice Pulse

Spring Cleaning for Lawyers: Protect Your Clients Through Planning

Spring is a great time to refocus on protecting clients' interests, including through succession planning and client file lifecycle management.

Lawyer Succession Planning

Succession planning is crucial for all lawyers, regardless of whether they are solo practitioners or work with firms. The goal is to prepare for the future and ensure that the individual lawyer's clients and law practice are taken care of when the lawyer retires or an emergency occurs.

The first step is to understand what succession planning entails and recognize its importance. It is not merely about choosing a successor but also about the seamless transition of responsibilities, securing client rights, ensuring continuity for clients, and fulfilling financial and legal obligations.

Most often when lawyers hear or read the term "succession planning," they think about a law firm giving ownership to new partners, a retiring solo practitioner transferring clients or the practice to another attorney, or the sale or merger of a law practice. This part of succession planning is important to ensure a smooth transition for retiring attorneys and longevity of a law firm, but it is not the only aspect of succession that lawyers must consider.

Succession planning needs to be done not only for when things go as expected but also to prepare for an unexpected death, illness, disability, or other event that results in the attorney's unavailability. All attorneys in private practice should plan for unexpected events to ensure that clients' interests are protected and that the law practice remains viable. Failing to plan can be a source of great stress to clients, family members, heirs, and employees.

Solo attorneys should give particular attention to planning for unexpected events so that clients know who to call about their matter if their attorney suddenly becomes unavailable. The Wisconsin ethics rules suggest that diligent representation of clients includes this type of planning. Specifically, SCR 20:1.3 Diligence, ABA Comment [5] states that "to prevent neglect of client matters in the event of a sole practitioner's death or disability, *the duty of diligence may require that each sole practitioner prepare a plan*, in conformity with applicable rules, that designates another competent lawyer to review client files, notify each client of the lawyer's death or disability, and determine whether there is a need for immediate protective action."¹ (Emphasis added.)



Brent J. Hoeft, Cleveland State Univ. College of Law 2006, is the State Bar of Wisconsin's practice management advisor and manager of the [Practice411™](#) practice management program. If you have questions about technology, practice management, or the business aspects of your practice, call (800) 957-4670 or email practicehelp@wisbar.org.

Steps in the Succession Planning Process

Step One: Identify and Register a Successor Attorney. The first step in this planning process is choosing a successor attorney, referred to in some resources as the “outsider attorney” and here as the “backup attorney,”² to temporarily come into the planning attorney’s practice to oversee the management of client matters and protection of client interests for however much time is necessary. The planning attorney should ask the backup attorney whether they agree to undertake the responsibilities of being a successor. Once the backup attorney has agreed to take on such responsibilities, then the planning attorney should register the backup attorney as a successor attorney within the planning attorney’s member profile with the State Bar of Wisconsin. By registering with the State Bar, should the need arise clients, judges, opposing counsel, and other relevant parties can contact the State Bar to access the name of the registered successor attorney. Information and instructions on how to register a successor can be found on the Succession Resources page of the State Bar’s website.³

Step Two: Add Relevant Provisions to Estate Planning and Power of Attorney Documents. Next, the planning attorney should make sure that the proper provisions are included in the attorney’s estate plan and power of attorney documents to provide the successor attorney with the power and authority to act in coordination with the personal attorney-in-fact or personal representative of the estate. A great resource to assist with this planning is *After All, You Are Only Human: The Solo Practitioner’s Handbook for Disability and Death*, which provides guidance, provisions, and forms.⁴ In addition to the proper forms and authority, the planning attorney must also ensure that the successor attorney has the necessary information and access to computers, accounts, and client files so that the successor attorney can assess the practice, set priorities, and notify clients, courts, and other individuals and entities.

As with any plan, a succession plan should not be static. Regular reviews and updates are essential to accommodate changes within the lawyer’s practice and personal life. Preparing potential successor attorneys ensures readiness and a smooth transition for all involved. By proactively selecting and registering a successor attorney, you are taking important steps to secure the future of your practice. You will have peace of mind knowing that your clients will be in good hands, your colleagues supported, and your family protected in the event of unforeseen circumstances.

Client File Lifecycle Management

Another important practice management activity for lawyers is to organize client files. Having a client file policy promotes efficiency and accessibility and reduces security risks through the proper management, retention, and disposal of electronic files and storage devices.

Much too often, law firms opt to keep everything rather than deal with what can seem like a daunting task of figuring out which client files to keep and for how long. Proper retention of client files is important both as a duty to clients and for the lawyer to be able to defend against any potential malpractice claims.

However, improper retention, storage, and disposal of confidential information can result in a security incident. Improperly disposing of confidential information can expose the information to bad actors, and unnecessarily retaining and storing electronic data creates greater risk of exposure if the lawyer’s or firm’s computer system is hacked. Having a written policy addressing client file lifecycle management can reduce these risks.

So, what should be considered in connection with your client file lifecycle management?

Step One: Develop a File Retention Policy. Some areas to address in such a policy are the following:

- How will original documents be returned to the client?
- Will any physical copies be retained, and if yes, for how long?
- If physical copies will be converted into electronic copies, how long before the physical copies are destroyed?
- How long will the firm retain electronic copies of client files?
- How can clients obtain copies of their files?

The question I hear most often is how long client files should be retained. The answer is – it depends. There is not one specific number of years. Wisconsin Formal Ethics Opinion EF-17-01 advises that client files should be retained for at least six years.⁷ But the opinion goes on to clarify that this six-year recommendation is “a floor, not a ceiling” and that certain circumstances of some clients and certain files, “such as files involving claims of minor children, estate planning, and certain tax matters,” may require that files be kept for longer than six years. Lawyers and law firms must determine if the six-year minimum is sufficient for their practice.

Step Two: Give Clients Notice of File Retention Policy. The file is the client’s property so notice of how that property is handled is required.⁵ The best time to do this is at the beginning of representation, by including a provision within the representation agreement or providing a separate file retention policy notice document along with the representation agreement.⁶ Another good time to remind clients of this policy is when closing a matter. Include with the closing letter a reminder of the firm’s file retention policy and clear instructions on how to obtain a copy of the file and original documents.

Retention and Destruction – A Matter of Security

One major concern about a firm indefinitely retaining electronic copies of client files is the increased security risk this creates. For instance, if a ransomware attack occurs, would every file of every client the firm has ever represented be at risk? If so, steps should be taken to reduce the amount of information that is at risk.

Those in charge of providing data security must always walk a fine line between accessibility and security. Access and security are inversely related. So, the more access granted, the less secure that data becomes. The less information that is accessible and exposed over the internet, the smaller the attack surface. Reducing the number of accessible electronic files minimizes the risk of exposure. If a firm keeps all electronic files of every client ever represented equally accessible, that firm is unnecessarily increasing its risk of exposure in the event of a security breach. Therefore, lawyers should take steps to routinely assess electronic files to determine the point in the file lifecycle at which each file belongs and assign the corresponding access authorizations to those files.

I recommend categorizing electronic files by each file’s position in the file retention lifecycle. Ongoing and open client matters require the most access. Closed files that are within the retention period should be accessible but do not need to be as available as open client files. I recommend that closed files be stored off network and that they be backed up in more than one location using more than one storage media. For example, there could be a copy of those closed files on a detached external storage device off site in a secure location and another copy could be backed up to the cloud. Once these closed files age out beyond the firm’s file retention period, then the files should be deleted from the backups. Additionally, each of these categories of the file lifecycle should also have limitations on who in the law firm has access authorization. Not everyone in the firm needs access to all files during the file lifecycle. Determining who needs to have access to files and at which stage of the file lifecycle is an important access control that also minimizes risk of exposure. To effectively manage this file

lifecycle and authorizations, I recommend revisiting these files at least annually to reallocate them. That reminder does not have to be in the spring; pick the time of year that is best for your practice to devote time to this task.

Finally, when the time comes to get rid of electronic devices that could potentially contain client information, dispose of the devices securely. Hard drives of old computers, mobile devices, and any external storage devices should be securely erased with software⁸ before they are sold or donated, or if being thrown away or recycled, taking the additional step of physically destroying the drive before doing so.⁹ Do not overlook other office hardware such as copiers and fax machines; these devices usually have limited memory but nonetheless could contain client information.

Conclusion

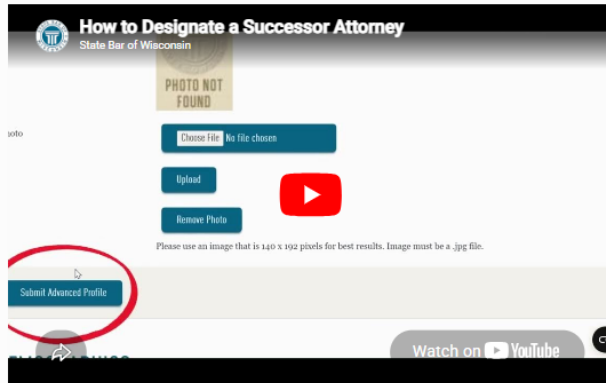
These important practice management tasks are not “set it and forget it;” they should be revisited on a regular basis. The tasks take some initial effort, but the peace of mind, increased security, and operational efficiency they bring will make the effort worthwhile. Take this opportunity to safeguard your practice’s future so you can rest easier knowing that you have taken important steps to protect your clients and law practice should the unexpected occur.

» Cite this article: *97 Wis. Law. 35-37 (May 2024)*.

Succession Resources

How to Designate a Successor Attorney

Please refer to the instructional video below for a guide to designating a successor attorney in [myStateBar](#).



Instructions to register a successor attorney with the Succession Planning Registry:

1. Select a potential attorney willing and able to serve as your successor and discuss with that attorney to determine their willingness to serve in that role.
2. Log in to your [myStateBar](#) account.
3. Navigate to the myProfile tab and click on the "Successor Registry" link which will take you to that section in your Advanced Profile.
4. Enter the name(s) of your successor(s).
5. Check the box to acknowledge that you've discussed the necessary details with your successor(s).
6. Scroll down and click the "Submit Advanced Profile" button to save changes.

Why is it especially important for solo attorneys to register a successor and have a succession plan?

Planning for the unexpected is important for all attorneys in private practice as doing so protects the rights of clients and their matters should the attorney unexpectedly become incapacitated, die, or is unavailable. For sole practitioners this is especially important as it provides the client with clarity that in the event that something unexpected happens to the solo attorney that there is a plan in place for a named attorney to protect that client's rights. SCR 20:1.3 Diligence refers to this professional obligation in ABA Comment [5]:

- "To prevent neglect of client matters in the event of a sole practitioner's death or disability, the duty of diligence may require that each sole practitioner prepare a plan, in conformity with applicable rules, that designates another competent lawyer to review client files, notify each client of the lawyer's death or disability, and determine whether there is a need for immediate protective action. Cf. Model Rules for Lawyer Disciplinary Enforcement R. 28 (2002) (providing for court appointment of a lawyer to inventory files and take other protective action in absence of a plan providing for another lawyer to protect the interests of the clients of a deceased or disabled lawyer)."

How should I approach creating a succession plan?

- [After All, You Are Only Human: The Solo Practitioner's Handbook for Disability and Death](#)
- [How to Use the New Law Practice Succession Planning Registry](#) (outdated)
- [Lawyer Death or Disability: Who Will Protect Your Clients?](#)

Resources for employees, clients, and family members of deceased solo attorneys without a named successor

- [Succession Information Request Form](#)
- [Closing a Solo Practice](#) - This article by our Ethics Counsel discusses important steps to take when closing a solo practice.

Chapter 12: Trustees for medically incapacitated, deceased or disappeared sole practitioners.

- [Trustee Manual](#)

Supreme Court Rules 12.02 and 12.03 provide a mechanism for the appointment of a trustee when a sole practitioner is medically incapacitated, deceased, or disappeared and has not made plans for another lawyer to take over their practice. Even if the assisted lawyer has named a successor lawyer, the successor lawyer should consider filing a petition to be named trustee. A trusteeship provides clear authority for, and court supervision of, the process of winding up the assisted lawyer's practice.

The duties of a trustee are to:

1. Protect the clients' rights, files and property;
2. Notify clients of the appointment of the trustee attorney and advise the clients to seek counsel of their choice;
3. Deliver clients' files and property to them upon request;
4. Collect outstanding attorney's fees, costs and expenses; and
5. Assist in the suspension or wind-up of the practice.

Note that the trustee lawyer cannot serve in any other capacity as counsel for assisted lawyer or their family. This includes acting as personal representative of the assisted lawyer's estate. Lawyers who have questions about Chapter 12 should contact the [Ethics Hotline](#) or the [Practice411](#) Practice Management Program.

Sample petitions can be found in [After All, You Are Only Human: The Solo Practitioner's Handbook for Disability and Death](#) starting at page 59.

April 03, 2024

Ethical Dilemma

Closing a Solo Practice

What are a lawyer's ethical duties when closing a law practice? The State Bar of Wisconsin's ethics counsel offer seven areas of concern for lawyers when closing their practices.

By Timothy J. Pierce & Sarah E. Peterson

Question

I am a solo practitioner, and I am thinking about retiring. What should I consider in planning to close my law practice?

Discussion and Answer

When contemplating closing a law practice, there are many issues that can arise. Most concerns under the disciplinary rules fall within these seven categories:

- current clients,
- tribunals,
- former clients,
- trust accounts,
- closed files,
- electronic equipment, and
- malpractice insurance.

While this article does not cover every issue that can arise in closing a practice, it does provide a brief overview of each of these seven areas.¹

Notify Current Clients

SCR 20:1.4(b) requires that lawyers notify current clients of their plans in a timely fashion. If a lawyer may not be able to complete a current client's matter, the lawyer should notify those clients that the lawyer is unable to continue representing them and that they need to seek new counsel.

Pursuant to SCR 20:1.16(d), clients should be given "reasonable notice," such that they have time to employ successor counsel. The communication should inform current clients about time limitations and dates that are important to their cases, and it should provide, if applicable, an accounting of fees, costs, and property held in trust.² The communication should also explain that clients can pick up copies of their files or have the files transferred to successor counsel and should give a time frame for doing this.

The rules do not mandate a particular method of communicating this information to current clients, but it is a good idea for lawyers to keep written records of each communication so they know what was communicated to the client. Obviously, the lawyer should maintain copies of such communications sent by email or letter. The lawyer should also notify opposing counsel and comply with the tribunals' rules for withdrawing.³



Tim Pierce is ethics counsel with the State Bar of Wisconsin. Ethics question? Call the [Ethics Hotline](tel:6082292017) at (608) 229-2017 or (800) 254-9154. Formal Ethics Opinions are at [wisbar.org/ethop](https://www.wisbar.org/ethop).



Sarah E. Peterson, U.W. 2000, is ethics counsel with the State Bar of Wisconsin. Ethics question? Call the [Ethics Hotline](tel:6082292017) at (608) 229-2017 or (800) 254-9154. Formal Ethics Opinions are at [wisbar.org/ethop](https://www.wisbar.org/ethop).

We suggest you keep these notes on each file:

- the file name;
- the file number;
- the date when the file was last reviewed;
- a list of the important dates, tasks, and limitation periods;
- the date when the letter was sent to the client;
- the date when termination was discussed with the client;
- any instructions that were received from the client;
- whether the file was copied;
- whether the file was given to the client or was delivered to successor counsel and a receipt obtained;
- whether opposing counsel was notified;
- whether a formal motion to withdraw was filed and granted; and
- whether any further action is required.

Tribunals: Withdraw from Pending Matters

If a matter is pending before a tribunal and there is a reasonable prospect that the lawyer will not be able to complete the matter before closing the practice and retiring, the lawyer should notify the tribunal and follow whatever procedure the rules of that tribunal require of the lawyer seeking to withdraw from the matter.

The disciplinary rules define “tribunal” quite broadly in SCR 20:1.0(p), so this includes administrative agencies as well as courts. The rules require that the lawyer follow local court rules when seeking to withdraw from a matter.⁴ Thus, the lawyer should notify courts and administrative agencies and follow the procedure the tribunal requires when seeking to withdraw from a matter that the lawyer cannot complete.

Under SCR 20:1.16(c), the lawyer must stay on and complete the matter if so ordered by the tribunal. If the lawyer regularly accepts appointments, such as guardian ad litem appointments, it is a good idea to notify the court of the lawyer’s future inability to accept those appointments.

Maintain Former Clients’ Files

Lawyers have no duty to notify former clients when closing a practice. As discussed below, however, lawyers do have an obligation to maintain closed files for at least six years, and former clients are entitled to their file upon request. To facilitate the return of files to former clients, the lawyer should consider keeping active methods of contact for former clients, such as an email, and keeping the lawyer’s contact information current with the State Bar of Wisconsin.

Disburse Trust Account Funds

The lawyer should reconcile the lawyer’s trust accounts, and all funds remaining in the trust accounts should be disbursed to whomever is legally entitled to the funds.⁵ If the lawyer is unable to locate or determine the owner of the funds being held in trust, the funds may have to escheat to the state, specifically Wisconsin’s unclaimed property office (part of the Wisconsin Department of Revenue).

For further discussion of the proper procedure when a lawyer cannot locate or determine the owner of the of funds held in a trust account, see “Dilemma: What to Do with Unclaimed Money in a Trust Account,” *InsideTrack*, Feb. 17, 2021.

The lawyer is required by SCR 20:1.15(g)(1) to retain the trust account records for at least six years after the date the accounts are closed. The Office of Lawyer Regulation has guidelines for trust account records.⁶

There is no affirmative obligation to notify either the State Bar of Wisconsin or the Office of Lawyer Regulation when closing any trust account.

Safeguard Closed Client Files

The lawyer must ensure the appropriate safeguarding and storage of closed files, whether in physical, electronic, or mixed format. The Rules of Professional Conduct do not require that closed files be maintained forever, but in general, closed files must be maintained for at least six years. Wisconsin Formal Ethics Opinion EF-17-01 provides a detailed discussion of a lawyer's obligations with respect to storing and safeguarding closed client files.

In the ideal situation, the lawyer would have disclosed the file retention and destruction policy in each client's engagement agreement and again in the client's closing letter. If the lawyer has a file retention and destruction policy that has been communicated to the clients, closed files should be kept as required by that policy.

If the lawyer does not have such a policy and the client has not requested the file, the lawyer should retain the file for a minimum of six years from the date representation was terminated, although some types of files should be maintained for a longer time as discussed in EF-17-01.

With files older than the firm's stated file retention policy, the lawyer can securely dispose of the closed files without notice to the former clients. While not required by the disciplinary rules, if the lawyer has not informed clients about a file retention and destruction policy in an engagement agreement or closing letter, the lawyer may wish to consider publishing an announcement in a newspaper of general circulation and then waiting several months before destroying the files, to give former clients sufficient time to reach out to the lawyer. It may also be advisable to have the notice published on the newspaper's website.

Solo attorneys may wish to give their closed files to another firm to be stored and returned to former clients when requested. To do this, the lawyer must first obtain the informed consent of the current and former clients.⁷ In addition, in accepting files from another lawyer, law firms will have conflicts that arise from the possession of those files.⁸ In general, such conflicts can be resolved by obtaining the written and signed informed consent of the affected current or former clients, although this may be difficult for closed files.

The destruction of client files must be done in a manner consistent with the duty of confidentiality that every lawyer owes to every client and former client under SCR 20:1.9(c)(2) and SCR 20:1.6. There must be a complete destruction of the materials in the file, such as incineration or shredding. The lawyer should keep, for a reasonable period, a record or index of files that have been destroyed.⁹

Safely Dispose of Electronic Equipment

SCR 20:1.6(d) requires that any electronic equipment with a hard drive, such as a fax machine, copier, computer, tablet, or smartphone, that has information relating to the representation of the clients stored on it must be disposed of in a manner that prevents disclosure of confidential information.

If the equipment is to be sold, given away, or used for personal purposes, the lawyer must make sure the drives are clean and that all client information is removed.

If the lawyer is unsure how to dispose of electronic equipment in such a manner as to prevent disclosure of client information or how to wipe a device to ensure that no protected information remains, the lawyer should seek advice from an expert.

Optional: Maintain Malpractice Insurance

There is nothing in the disciplinary rules that requires retired lawyers to maintain malpractice insurance. Lawyers should be aware, however, that claims made against a lawyer after the lawyer has retired might not be covered by prior insurance. If the lawyer is concerned about this possibility, the lawyer should discuss a tail endorsement with a malpractice insurance carrier.

Conclusion

While not exhaustive, this list covers the most common concerns. To avoid issues that can arise under the disciplinary rules, a solo practitioner closing a practice should pay particular attention to this list of duties.

Lawyers closing their practice should keep in mind their duty to protect their clients' rights, property, and confidential information.

Ethical dilemmas affect every lawyer's practice. This series of questions and answers appears each month in *InsideTrack*. The answers, offered by the State Bar's ethics counsel Timothy Pierce and Sarah Peterson, provide guidance only and are not legal authority. Each situation will depend on the facts and circumstances involved.

Endnotes

1 This column is a revision and expansion of a previous column; see Aviva Meridian Kaiser, [Five Things Solo and Small Firm Lawyers Should Do Before Taking Down Their Shingles](#), *InsideTrack*, July 2, 2014.

2 See, e.g., SCR 20:1.5(g), SCR 20:1.15(e).

3 See SCR 20:1.16(c).

4 See SCR 20:1.16(c).

5 See SCR 20:1.15(e).

6 *OLR Guidelines for Trust Account Records*, wicourts.gov/services/attorney/docs/guidetarecords.pdf (last visited Mar. 11, 2024).

7 See SCR 20:1.6.

8 See Restatement (Third) of the Law Governing Lawyers § 124. See also Timothy J. Pierce, [Ethical Dilemma: What Conflicts Are Left Behind When a Lawyer Leaves a Firm?](#) *InsideTrack*, Feb. 19, 2020. The conflicts that can arise when the confidential client information of more than one lawyer is held in a common space in an office-sharing arrangement are similar to those that might arise when a lawyer takes possession of the confidential client files of a lawyer who has left the practice of law. There are several ethics opinions discussing conflicts that arise in office sharing arrangements between unaffiliated lawyers. See D.C. Bar Op. 303; Colo. Bar Ass'n Ethics Comm. Op. 89; ABA Formal Op. 507.

9 See Wis. Formal Ethics Op. EF-17-01.

» Cite this article: *97 Wis. Law. 33-35 (April 2024)*.



Pro Bono Expense Reimbursement

The State Bar maintains a limited fund to help defray the burden of out of pocket costs that members incur on pro bono cases where the client is unable to pay and the expense is not one that can be waived. Expenses for transcripts, expert witnesses, office supplies and mileage are just some examples of the kinds of expenses that have been reimbursed to State Bar members.

Members handling eligible civil pro bono cases on behalf of low income clients should submit a signed Member Expense Reimbursement Form with supporting documentation for approval to the Pro Bono Program Manager at probono@wisbar.org.

For questions regarding eligibility for this program, please contact: Atty. Sarah Watson, Pro Bono Program Manager, probono@wisbar.org or 608-250-6177.



Please Note:

Meeting / Travel Description: _____

Committee, Section, Division (if applicable): _____

Place of Meeting / Travel Destination: _____ Date: _____

Name: _____ Phone: _____

Address: _____

City: _____ State: _____ Zip: _____

Please donate my mileage reimbursement to the Wisconsin Law Foundation.
(Please note, these contributions cannot be applied to Fellows pledge payments.)

Travel:

- a. Air Train Bus Other _____
- b. Auto _____ miles @ \$.725/mile: _____
- c. Rental Car: _____
- d. Parking: _____
- e. Tolls: _____
- f. Taxis/Cabs: _____
- g. Other (describe): _____

Lodging:

- a. Hotel/Motel: _____

Meals:

- a. Place*: _____
- * If multiple places, detail receipts will suffice.

Administrative /Other:

- a. Telephone: _____
Contacts/Purpose: _____
- b. Other (describe): _____
- c. Other (describe): _____

TOTAL

Approved by: _____ Date: _____ Account: _____

2nd Approval (Over \$2,000): _____ Date: _____

Pro Bono- Wisconsin Resources

Professional Liability Insurance:	<p>WILMIC coverage extends to volunteers working with BBE-approved pro bono programs, including newly approved clinics.</p> <ul style="list-style-type: none">• Submit a brief clinic description to bbe@wicourts.gov for quick review.• Clinics charging any client fee are generally not approved.• Forward BBE approval for internal records.• Volunteers self-certify via the insurance webpage form.• Approved ongoing clinics may be added to the WisBar list.
Pro Bono Grants:	<p>Small-scale funding (typically ≤ \$500) is available through the Legal Assistance Committee.</p> <ul style="list-style-type: none">• Supports event-related or programmatic costs.• Application + details: https://www.wisbar.org/formembers/probono/pages/grants.aspx• Submit completed applications for LAC email-vote review.
Lanyards:	<p>Volunteer identification lanyards available upon request.</p> <ul style="list-style-type: none">• Blue with metal clips.• Printed with “Sponsored by the State Bar of Wisconsin Pro Bono Program.”• Shipped directly for clinic use
Expense Reimbursement:	<p>Limited reimbursement fund for non-waivable, client-unaffordable expenses in direct-representation pro bono cases.</p> <ul style="list-style-type: none">• Attorney fees not eligible.• Submit reimbursement forms to probono@wisbar.org.
Wisconsin Equal Justice Conference	<p>A statewide CLE program curated by the Legal Assistance Committee.</p> <ul style="list-style-type: none">• Focuses on emerging and recurring issues in Wisconsin legal aid.• Event proceeds directly support pro bono grants.
Pro Bono Paladin Portal:	<p>A centralized opportunity hub for Wisconsin and national pro bono listings.</p> <ul style="list-style-type: none">• Includes cases, clinics, trainings, and volunteer needs.• Typically ~40 active opportunities available.• Access: https://app.joinpaladin.com/probonowi/

ADDRESSING WISCONSIN'S LAWYER SHORTAGE: LESSONS FROM OTHER STATES

June 11, 2026
Wisconsin Bar Association Rural Plenary Panel

1

Speakers



Hon. Joel H. Bolger



Prof. Hannah Haksgaard



Fr. Pius Pietrzyk



Rebecca Rapp



2

Low-income rural residents do not get help legal problems.

- They get insufficient help for **94%** of their civil legal problems.
- **74%** of households experienced at least one civil legal problem.
- **46%** did not seek legal help because of cost.



3

Chronic Underinvestment + Pipeline Constraints = Shortages

Inadequate Legal Aid Funding

- LSC received roughly 25% of funding needed to serve all eligible applicants.
- Wisconsin provides no general revenue funding for civil legal aid.

Pipeline Barriers

- Law school is expensive.
- Post-secondary education inequities tied to parents' education, income, rurality, and race.



4

Strategies for Increasing Rural Access to Justice

1. Bring legal help to rural communities
2. Develop, attract, and retain more attorneys in rural areas
3. Allow non-attorney professionals to provide legal advice or other legal help in limited contexts



5

Strategy 1: Bring Legal Help to Rural Communities



6

Strategy 2: Develop, Attract, and Retain Attorneys in Rural Areas



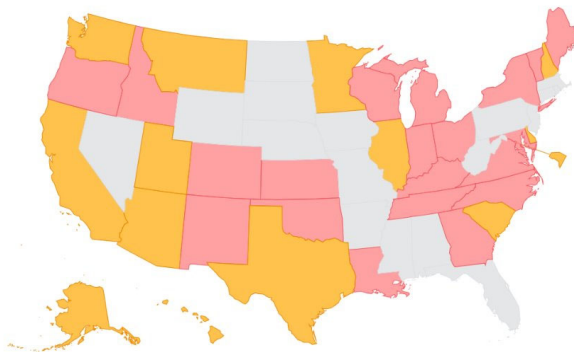
Counties eligible for WI rural practice stipend



7

Strategy 3: Allow Non-Attorney Professionals to Provide Legal Advice or Other Legal Help In Certain Contexts

As of April 23, 2026, 14 states and D.C. have passed or proposed rules for authorizing justice worker programs and 20 are actively developing them.



8

Alaska Community Justice Workers: Results and Impact

- In 48 communities across Alaska
- Handled nearly 4x as many cases as volunteer attorneys
- Recovered \$23.6 million in SNAP benefits across 1,400+ cases
- Benefited around 850 households and 2,800 individuals and generated \$14.5 million in community economic value
- Estimated ROI of \$25 in public benefit for every \$1 invested



9

THANK YOU



10