Attracting graduate lawyers to the community legal sector

LIV Survey Results and Discussion Paper

Dated 11 March 2009

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INTRODUCTION

1. This discussion paper presents the research findings of a research project undertaken by the Law Institute of Victoria (LIV) Young Lawyers’ Section Community Issues Committee into interest in and barriers to graduate traineeships in the community legal sector. The purpose of the paper is to present evidence, raise awareness and suggest alternative strategies to encourage stakeholders to assist the community legal sector attract legal practitioners at the graduate level. This paper examines the background issues that act as deterrents and suggests strategies to attract and facilitate the placement of new lawyers in Community Legal Centres (CLCs).

2. The Community Issues Committee developed the terms of reference for this discussion paper in collaboration with the Federation of Community Legal Centres (the Federation). The LIV understands that this discussion paper will be used in support of the Federation's application to the Legal Services Board for funding for a graduate CLC program in 2009.

3. Currently, CLCs do not have capacity or funding to provide graduate opportunities for training. CLC recruitment relies on law firms to train new lawyers and for junior lawyers to make a significant career move to the community legal sector in the early stages of their development. The Federation considers that a graduate program for CLCs will benefit both the graduates (by enabling them to get an early start in the community legal sector) and the legal centres. It will enable CLCs to enhance their recruitment of interested and talented graduates and will enable the centres to provide tailored legal training.

EXECUTIVE SUMMARY OF LIV RESEARCH FINDINGS

4. In 2008, the LIV conducted a survey of over 300 Victorian law students with a view to gaining an understanding of their perceptions, expectations and wishes for undertaking their professional qualifications. Of the respondents, 38% had volunteered in CLCs and over 20% stated that they would like to undertake a traineeship in a CLC. Of note, 11.5% of the respondents thought that they were “likely” to obtain a traineeship at a CLC despite the lack of current opportunities in CLCs.

5. In light of the survey results, this discussion paper sets out research about potential career pathways for law graduates in the community legal sector and recommends that the most effective way to attract and retain graduates in CLCs will involve both short term initiatives to recruit graduates as well as longer term strategies for retention. Short term initiatives include seeking program funding from the Federal and State Governments as well as private firms and seeking partnerships with stakeholders including universities, CLCs and training providers. The strategies for retention discussed in this paper are HECS-HELP and tuition fee reduction or forgiveness, dedicated scholarship programs and retention bonuses.
BACKGROUND: THE COMMUNITY LEGAL SECTOR AND CURRENT TRAINING OPPORTUNITIES

About the community legal sector

6. There are 207 community legal centres in Australia which provide legal services to approximately 350,000 clients per year.\(^1\) CLCs assist disadvantaged clients in the community and are often the first point of contact for such people seeking assistance or their last resort when all other attempts to obtain legal assistance have failed.\(^2\)

7. There are 51 CLCs in Victoria,\(^3\) which provide free legal advice, assistance and advocacy, conduct community legal education activities and undertake law reform activities. According to the Federation, CLCs work to:

- develop a better understanding of the legal system within our communities so injustices and inequities in the law can be changed;

- create more opportunities for community members to access and participate in the legal system; and

- encourage and support community members to voice their opinions on the work and management of CLCs.\(^4\)

8. There are generalist and specialist legal centres. Generalist centres provide services to people depending on where they live; while specialist centres focus on particular groups with specific needs or on particular areas of law, such as mental health, employment and tenancy law.

9. The Senate Legal and Constitutional Affairs Committee (SLCAC) highlighted the importance of encouraging community participation in the legal system and provision of effective community law and legal aid services to promote adherence to the rule of law,\(^5\) stating that “[a] lack of effective access to justice leads inevitably to the marginalisation of the law and an increasing irrelevance of the core democratic institutions.”\(^6\)


\(^2\) Ibid.

\(^3\) See www.communitylaw.org.au for a complete list of CLCs.

\(^4\) For more information see the Federation of Community Legal Centres website at: http://www.communitylaw.org.au/cb_pages/what_is_a_clc.php.

\(^5\) Senate Legal and Constitutional References Committee, ‘Inquiry into the Australian Legal Aid System: First Report’ (Canberra: Senate Printing Unit, March 1997); Senate Legal and Constitutional References Committee, ‘Inquiry into the Australian Legal Aid System: Second Report’ (Canberra: Senate Printing Unit, June 1997); Senate Legal and Constitutional References Committee, ‘Legal Aid and Access to Justice’ (Canberra: Senate Printing Unit, Final Report June) 2004 Ch 11, 206 ; Senate Standing Committee on Legal And Constitutional Affairs, ‘Cost of Legal Services and Litigation Discussion Papers No 1-7 and Final Reports 1 and 2’.

\(^6\) Senate Legal and Constitutional References Committee, ‘Inquiry into the Australian Legal Aid System: Third
Current traineeship opportunities in the community legal sector

10. There are currently very few opportunities for law school graduates to gain their professional legal qualifications in the community legal sector. Historically, graduate programs have been available with Victorian Legal Aid, the Asylum Seeker Resource Centre and the Fitzroy Legal Service. Of these programs, only the Fitzroy Legal Service is continuing its graduate training program in 2009.

Victorian Legal Aid

11. The New Lawyer Program at Victorian Legal Aid replaces the former articled clerkship program. This new program is for first and second year lawyers (post admission) and comprises one year of rotations and a second year of development and specialization in one area. The program begins in 2010, which means that 2009 is the last year that VLA will take on graduate trainees.

Asylum Seeker Resource Centre

12. The Asylum Seeker Resource Centre (ASRC) is the largest provider of aid, advocacy and health services for asylum seekers in Australia. The ASRC also campaigns and lobbies to change the immigration policies in Australia. In 2007, the ASRC appointed its first articled clerk in lieu of paralegal support, which had previously been used at the ASRC. Funding for the program was received through the ASRC’s standard funding sources. We understand that this position will not be available on an ongoing basis.

Fitzroy Legal Service

13. Fitzroy Legal Service is one of the oldest community legal centres in Australia and provides casework services to clients in its area. The centre plays a significant role in law reform and community legal education, focusing on the practice of preventative law and also has a long history of running public interest cases. Fitzroy Legal Service currently employs one articled clerk, which is funded by Allens Arthur Robinson.

Implications for CLCs

14. Not having access to graduates means that CLCs rely on other institutions, usually private law firms, to train new lawyers. The training in these firms is invariably tailored for different kinds of legal work from that performed at CLCs. This also makes the centres dependent on junior lawyers making a significant career move after admission, which is a difficult decision for junior lawyers, particularly financially.

7 Appendix 1 provides an overview of practical legal training options in Victoria.
9 For more information on the Fitzroy Legal Service visit: http://www.fitzroy-legal.org.au/
15. The Federation considers that employment of graduates in CLCs will be beneficial to the centres. It will enable them to have meaningful access to law students and enable the centres to recruit interested and talented graduates. It will also benefit the centres by enabling them to provide legal training tailored to their specific needs and areas of expertise, which could in turn increase retention of junior lawyers.

LAW STUDENT PERCEPTIONS AND INTERESTS: LIV SURVEY RESULTS

Survey methodology

16. In September 2008, the LIV conducted a survey of 328 Victorian law students. The survey was compiled by the Committee with a view to gaining an understanding of law student perceptions, expectations and wishes for undertaking their legal professional qualifications. The survey was promoted by the LIV and disseminated electronically to all university Law Student Societies in Victoria.

17. The survey included questions which asked respondents to select from a list of factors (such as flexibility, quality of work, responsibility and prestige) those most important to them in a job and workplace. Respondents were given the opportunity to answer why they would or would not like to work at commercial law firms, in government or for CLCs. The survey also included questions designed to determine respondents’ awareness of CLCs and the type of work they undertake.

18. A copy of the survey is provided in Appendix 2.

Survey results

19. In response to the LIV's survey, 37% of students considered that “contributing to the community” is a very important factor for selecting an organisation with which to complete their traineeships. Perhaps surprisingly, the respondents considered this factor more important than remuneration, recognition of work, secondment/overseas opportunities and the prestige of the organisation.

20. Of the respondents, 38% had volunteered in CLCs and over 20% stated that they would like to undertake traineeship in a CLC (compared to 20.8% in a small commercial firm, 41.2% in government and 9.3% in a rural or regional firm). Of note, 11.5% of the respondents thought that they were “likely” to obtain a traineeship at a CLC despite the lack of current opportunities in CLCs (discussed below).

21. The complete results of the survey and survey questions are available in Appendix 3.

Initial conclusions

22. The LIV survey suggests that there is a disconnect between the current opportunities available for law graduates in the CLC and the perception of law students about the opportunities available. This suggests that there is a real demand for graduate training positions in the CLCs among graduates. It also underlines the
importance of communication with law students about opportunities in the community legal sector.

23. Any CLC graduate program must therefore be marketed accurately to law students. The LIV recognises the role of the Federation to facilitate the promotion and placing of graduates and that they will be best placed to coordinate communication.

24. The LIV suggests that an effective way to target law students may be through the various law students’ societies at the Victorian law schools, including:
   - Deakin Law Students Society;
   - La Trobe Law Students’ Association;
   - Melbourne University Law Students Society;
   - Monash Law Students’ Society; and
   - Victoria University Law Students Society.

25. As part of a targeted communication campaign, the LIV would encourage the Federation to have a presence at the Victorian Council of Law Students’ Societies’ annual Careers Fair and to seek out contacts with Equality and Justice officers within the Law Students’ Societies of the various universities.

26. Public interest and public service employers should engage in targeted outreach activities on law school campuses in order to influence perceptions about employment opportunities in the community legal sector\textsuperscript{10}.

**Salary expectations**

27. The LIV survey reveals a perception among law students about low wages in CLCs. The survey revealed that a majority of law students expect to receive a trainee salary in the range of $35,000 to $45,000.

28. According to recent salary surveys\textsuperscript{11}, legal practitioners at entry level in Melbourne can expect a salary in the following range:
   1) Hays Legal:
      - Private Practice (mid tier firm): 32,000-55,000; and
      - Private Practice (small practices): 30,000-45,000.
   2) Michael Page International:
      - Commerce and Industry (public sector): 45,000-65,000; and

\textsuperscript{10} Refer to Appendix 3 for the information regarding law student perceptions about working in CLCs.

\textsuperscript{11} Mahlab does not provide information for graduate salaries in Melbourne.
29. The applicable award in most Victorian CLCs is the Social and Community Services – Victoria – Award 2000 (SACS). Under clause 13.5.3(b)(vi), lawyers will be classed as community development workers, and under clause 13.5.3(f) a qualified community development worker with less than twelve months experience who is being supervised by a more experienced qualified community development worker will commence at the wage rate of Class I, 2\textsuperscript{nd} point ($658.01 per week or $34,216.52 per annum). However, many CLCs are subject to some form of enterprise agreement.

30. This suggests that while CLC starting salary might be at the lower end of the salary range for newly qualified lawyers, it is still within the range of law student expectation about starting salaries.

DELIVERING A GRADUATE PROGRAM FOR CLCS IN VICTORIA

Traditional CLC funding sources

31. Traditionally, CLCs have sought and received funding from a variety of statutory bodies, philanthropic trusts and other funding sources. These include (but are not limited to) the following sources:

- Federal Attorney-General’s Department Community Legal Services Program;
- Victorian Government Community Legal Services Program;
- Victoria Law Foundation;
- Legal Services Board;
- Reichstein Foundation; and
- RE Ross Trust.

We understand that the Federation is applying to the Legal Services Board for a grant to fund a pilot graduate program in 2009-10.

Alternative strategies for recruitment to the community legal sector

32. The LIV considers that the most effective strategy to improve attraction of graduate lawyers to CLCs should involve a range of options which focus on both short term goals of attraction and long term goals of retention.

33. The following provides an overview of alternative strategies which could assist with the goals of attraction and retention, in addition to the proposed CLC graduate

\[12\] However, if the supervised worker is a qualified social worker or holds a post-graduate qualification in community development work (as defined), their starting pay rate should be Class I, 4\textsuperscript{th} point ($704.82 per week or $36,650.64 per annum).
program. The success of the WA Program (outlined below) suggests that a collaborative approach between law societies, legal aid, community legal centres and any other relevant organisations is vital for the success of novel and incentive-based programs.

**WA graduate program – a collaborative model**

34. In Western Australia, the Law Society of Western Australia, Legal Aid WA, Community Legal Centres, the Aboriginal Legal Service of Western Australia and Family Violence Prevention Legal Services have established the Country Lawyers Graduate Program (*WA Program*). The WA Program is aimed at improving the attraction and retention of lawyers in regional and remote areas by recruiting, developing and rotating junior solicitors throughout regional Western Australia. This collaborative approach assisted the implementation of the WA Program and has been central to its success.

**Recruitment and retention in rural, regional and remote areas – the LCA working group**

35. In June 2008, the Law Council of Australia (LCA) Directors approved the establishment of the Recruitment and Retention Working Group (the Working Group) to examine initiatives for the recruitment and retention of lawyers in various sectors. The Working Group initially examined the problem of recruitment and retention of lawyers in rural, regional and remote (RRR) areas of Australia. As a first step, the Working Group is undertaking research into the extent of the problems facing lawyers working in RRR areas.

36. The Working Group is currently preparing a discussion paper which provides an overview of possible programs which aim to improve the recruitment and retention of legal practitioners in these areas, either directly (for example, remuneration and relocation grants) or indirectly (for example, education and training initiatives). The discussion paper will provide strategies and recommendations on addressing the problems of recruitment and retention of lawyers in RRR areas, focusing on matters such a HECS-HELP repayment scheme, increase in the numbers of Government scholarships for law students from country areas, monetary allowances, bonuses and/or subsidised housing for lawyers or graduates that relocate to RRR areas, and increasing opportunities for legal clinical placement for law students.

Leveraging current pro bono initiatives

**Victorian professional commitment to access to justice – examples of partnerships**

37. The legal profession in Victoria has a strong history of commitment to improving access to justice, pro bono work and supporting the efforts of CLCs. CLCs create more chances for people in the community to have access to and have a say in the legal system. Victorian law firms have been quick to recognise the vital work carried out by, and contributions of, CLCs and have formed notable partnerships with organisations such as the Homeless Persons Legal Clinic and the Human Rights Legal Resource Centre.

38. Victorian law firms have also provided in kind support to CLCs such as free access to their in-house training courses, administrative assistance, provision of office supplies, human resources and marketing assistance. Victorian law firms might be prepared to provide financial and in kind support for the CLC graduate program, even in the current financial environment. This is especially so if the financial support is considered pro bono work for the purposes of the Government Legal Panel.

**Victorian Government Legal Panel – incentives for law firms**

39. All Victorian Government departments and participating Victorian statutory bodies are required to select their legal counsel and services from these two panels or the Victorian Government Solicitor’s Office except for:
- certain core government legal services that the Victorian Government Solicitor's Office is required to provide on an exclusive basis; and
- any legal services that have been exempted by the Secretary, Department of Justice from the panel arrangements.

40. Each Panel Member has committed to provide pro bono services of at least 5 per cent of the value of the legal fees they derive under the panel arrangements.  

41. According to the Department of Justice’s Policy Guidelines for the delivery of Pro Bono services for an Approved Cause under the Legal Services to Government Panel Contract, financial support provided under this program will qualify as pro bono services for the purposes of satisfying their requirements under the Legal Services Panel arrangements. This might create an incentive for panel law firms to

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contribute to a CLC graduate program and other recruitment and retention initiatives.

42. The Government has exercised its second option under the Panel contract extending the Panel arrangements to 30 June 2009.

43. The Federal Government has recently reviewed its legal services procurement program and the amount of pro bono work undertaken by a firm is now taken into consideration as part of a tender for the provision of legal services to the Commonwealth.\(^\text{16}\)

\textit{National Pro Bono Resource Centre – encouraging pro bono}

44. The National Pro Bono Resource Centre was founded in August 2002 after its establishment was recommended by the National Pro Bono Task Force Report to the Commonwealth Attorney-General dated 14 June 2001\(^\text{17}\). The centre is an independent, non-profit organisation that aims to encourage pro bono legal services, support lawyers and law firms to make it easier for them to provide high quality pro bono legal services, and work with the profession and the community sector to match services with individual clients and groups most in need of assistance.

45. To date the centre has 37 law firm signatories in Australia. These signatories have agreed to use their best efforts to ensure that each year, their lawyers will have provided, on average, at least 35 hours of pro bono legal services in that year per lawyer.

\textbf{RETENTION – PROMOTION OF COMMUNITY LEGAL SECTOR CAREER PATHWAYS}

46. While the primary purpose of this discussion paper is to consider attraction of law graduates to CLCs, it is important to note that the most effective way to attract and retain young lawyers will involve both short term initiatives to recruit graduates and longer term strategies for retention, which should be addressed by the CLC sector and its stakeholders. Three such options discussed below are HECS-HELP reduction and tuition/loan forgiveness, scholarship programs and post-recruitment retention bonuses.

\textit{Reducing the financial burden}

47. Despite their commitment to ensure access to justice, many law students find that the rising cost of a legal education forces them to forego a career in community service. With the creation of post-graduate law courses such as that offered at the


\(^{17}\) The National Pro Bono Resource Centre at: \url{http://www.nationalprobono.org.au/home.asp}.
Melbourne Model law school, and the increasing popularity of JD programs, the costs for students studying law are increasing.\(^\text{18}\)

48. While many private practice lawyers are able to shoulder the burden, the lower average salary in the community legal sector provides a significant financial burden on young lawyers. A 2008 survey conducted by the Victorian Federation of Community Legal Centres showed that in over 70% of Victorian community legal centres, the annual salary for community lawyers was $57,000 or less. The LIV recognises the importance of removing obstacles to community service and considers that community service must be made financially viable for legal professionals.

**Law school fee forgiveness**

49. In the United States, law graduates in government and non-profit jobs can benefit from education loan forgiveness programs offered by a growing number of law schools. Law graduates are eligible for loan forgiveness if they commit to a public service job for a minimum of, on average, five years.

50. In all, over 81 law schools in the US have loan repayment assistance programs (LRAPs), representing approximately $10.6 million in funding, and they are in the planning stages at numerous other law schools. To be eligible for assistance, law students must earn income below a specified salary cap and must be employed by a non-profit organization, a local, state or federal government or a law-related public interest organization.\(^\text{19}\)

51. Establishing well-funded LRAPs is one way to ensure that the next generation of lawyers will include law school graduates who are able to pursue and to afford community service careers.\(^\text{20}\)

**Government HECS-HELP forgiveness**

52. In 2009, the LCA proposed a repayment scheme in which the Federal Government would commit to paying off a student's HECS-HELP debt either partially or in full for those students who commit to practicing in rural and remote areas for a predetermined number of years following completion of their degrees.\(^\text{21}\) The LCA noted in their submission that the Federal Government has already established a

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\(^\text{19}\) The American Bar Association, Pro Bono Publico, at [http://www.abanet.org/legaled/probono/probono.html](http://www.abanet.org/legaled/probono/probono.html)


\(^\text{21}\) The Law Council of Australia submission dated 16 January 2009 is available at: [http://www.lawcouncil.asn.au/shadowx/apps/fms/fmsdownload.cfm?file_uid=F1AB81E6-1E4F-17FA-D2C5-D6BE4B470019&siteName=Lca](http://www.lawcouncil.asn.au/shadowx/apps/fms/fmsdownload.cfm?file_uid=F1AB81E6-1E4F-17FA-D2C5-D6BE4B470019&siteName=Lca)
HECS repayment scheme as an incentive to attract doctors to work in rural and regional areas of Australia which commenced in 2000-01.

53. In an earlier submission to the Assistant Treasurer in June 2008, the LIV proposed that relief could be provided in respect of tuition fees borne by those who participate in the community sector for a period following graduation. For example, the government might consider the option of a weighted single year HECS-HELP reduction for every three years of service in a CLC. For practicing professionals, a rebate to post-graduate tuition fees or related professional education expenses could be offered. The LIV recognizes the contribution law students and graduates make to the community and encourage the Government to consider recognition of such activities through a proactive tax policy.

Scholarship programs

Law school scholarships

54. In the United States, law schools have begun to establish scholarship funds to support their graduates undertaking employment in the community sector. These law schools have reached out to alumni who are concerned with public interest/public service law in an effort to raise funds to create scholarship opportunities for law students with similar ambitions. Examples of such scholarship funds are New York University's Root Tilden Kern scholarship program, which encourages graduates to enter public service law positions, and Harvard Law School's Heyman Fellows program, which assists with loan repayments for graduates who take up positions with the federal government.

Government scholarships

55. In the Law Council of Australia's proposal on rural and regional practitioners submitted in January 2009, the Council stated that the Federal Government should implement a scholarship scheme to encourage and assist people from rural areas to pursue a career in law. The Council outlined a number of current Government scholarships and recommended that a similar program be established to help meet the shortage of lawyers in regional areas. The LIV suggests that such a scholarship program should be made available for law students who commit to work in CLCs.

Post-recruitment retention incentives: bonus reward scheme

56. This incentive scheme involves a financial bonus being paid to lawyers who stay in the community legal sector for a specified period of time. There are currently such

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23 Ibid.
programs operating in Australia, such as the Regional Solicitor Scheme in Queensland.

57. Lawyers working in rural and regional communities as part of Legal Aid Queensland's successful Regional Solicitor Scheme are eligible for a $5000 bonus if they stay working at a firm in their local community for three consecutive years.25 The Regional Solicitor Scheme is open to law graduates who have completed, or are about to start a professional legal education or training course for admission as a solicitor. Lawyers selected to participate in the scheme are placed in regional communities that do not have enough solicitors working in the area to meet the legal aid needs of local residents.

58. Since the Regional Solicitor Scheme started in 2004, more than 30 solicitors have taken up two-year placements with firms in regional and rural areas under the scheme. This provides invaluable assistance for people who are starting a career in law, and it is particularly important for those firms in regional and rural communities having difficulty recruiting and retaining staff. Such a scheme would not solve funding problems for providing graduate training but would rather create incentives for lawyers to remain in the community sector rather than taking their skills and training elsewhere.

Appendix 1: Overview of practical legal training options in Victoria

59. The Legal Profession (Admission) Rules 2008 (Rules) came into force on 1 July 2008.\(^{26}\) Under the new Rules an individual who has completed an approved training course, obtained their LLB and wishes to be admitted to practice, needs to complete either:

- 12 months of Supervised Workplace Training (Traineeship); or
- a Practical Legal Training (PLT) course.

**Supervised Workplace Training (“Traineeship”)\(^{27}\)**

60. Law graduates may complete a 12 month Traineeship with a legal firm or office, working under the supervision of a practitioner. At the same time, law graduates must complete training in the “Competency Standards for entry Level Lawyers” developed by the Law Admissions Consultative Committee and the Australasian Professional Legal Education Council.

61. During their 12 months of supervised workplace training, law graduates must acquire appropriate understanding and competence in each of the compulsory ‘Skills’, ‘Practice Areas’ and ‘Values’. Trainees may complete the majority of their training either in-house or externally. Ethics and Professional Responsibility must be completed under the tutelage of an approved external provider.

62. This system will improve training for lawyers undertaking articles; however, the LIV feels that the training that must be provided by CLC supervisors would be a drain on the limited resources of CLCs, administratively cumbersome, and difficult to provide in a CLC environment.

**Practical Legal Training (PLT)**

63. PLT provides an alternative pathway to admission to practice and is offered at two institutes in Victoria, the College of Law and the Leo Cussen Institute. The LIV notes that Monash University have historically run a PLT course for graduates to acquire their professional qualification, however this has been discontinued.

**College of Law**

64. The College of Law is a national institution offering an online professional program enabling direct admission in a number of Australian jurisdictions (including Victoria), and elsewhere via mutual recognition. In conjunction with the LIV, the College of Law Victoria offers a number of accredited Victorian Professional Programs (VPP). The VPP comprises a 15-week full-time (or 30-week part-time) program featuring a


\(^{27}\) The information in this section is taken from the LIV Publication “Admission to Practice”.

combination of online and face-to-face instruction, with an equivalent work experience component. Upon completion graduates are awarded a Graduate Diploma in Legal Practice, qualifying them for admission to practice in Victoria.

65. The College of Law also currently offers co-operative training with some of the large national law firms, and this may be appropriate for any proposed CLC graduate program. The advertised cost of this course is $6,280 for Australian residents.\(^{28}\)

*Leo Cussen Institute*

66. An alternative to an articled clerkship is the seven-month training program with the Leo Cussen Institute (LCI). All Practical Training Course applicants must have passed the subjects required by the Council of Legal Education and be a graduate of a law school of an approved Australian university. LCI offers online learning with 16 days attendance required at LCI. The advertised cost of this course is $6,600.\(^{29}\)

67. PLT provides a structured, complete program to comprehensively train young lawyers. Unlike traineeships, the required level of supervision for structured learning is limited, which would ensure that there is no drain on the under-funded and in demand services of CLCs. Similarly, structured external PLT programs would allow the host CLC to out-source the training components of the CLC graduate program.

\(^{28}\) Further information is available on the College of Law website (www.collaw.edu.au/pp/index.asp).

\(^{29}\) Further information is available on the LCI website (www.leocussen.vic.edu.au).
**Appendix 2: Law Student career survey**

The Community Issues Committee of the LIV Young Lawyers' Section is conducting a survey to better understand the career aspirations of law students. Please take 5-10 minutes to complete this survey:

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<th>Question</th>
<th>Answer choices</th>
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<tbody>
<tr>
<td>1 Where do you study?</td>
<td><strong>One choice only</strong></td>
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<tr>
<td></td>
<td>Deakin University</td>
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<td></td>
<td>La Trobe University</td>
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<td></td>
<td>Monash University</td>
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<td></td>
<td>University of Melbourne</td>
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<td></td>
<td>Victoria University</td>
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<td>Other [please specify]</td>
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<td>2 What year level are you?</td>
<td><strong>One choice only</strong></td>
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<tr>
<td></td>
<td>First year</td>
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<td></td>
<td>Second year</td>
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<td>Third year</td>
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<td>Fourth year</td>
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<td>Fifth year</td>
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<td>Sixth year +</td>
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<td></td>
<td>Yes / No</td>
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<tr>
<td>3 Do you intend to practice law when you complete your studies?</td>
<td><strong>Yes / No</strong></td>
</tr>
<tr>
<td>If you answered “Yes” to question 3:</td>
<td></td>
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<td>4 Do you hope to undertake a traineeship (formerly known as articles)?</td>
<td><strong>As many choices as relevant</strong></td>
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<tr>
<td></td>
<td>Large commercial firm</td>
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<td></td>
<td>Mid-size commercial firm</td>
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<td>Small commercial firm</td>
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<td></td>
<td>Suburban firm</td>
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<td></td>
<td>Rural/regional firm</td>
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<td></td>
<td>Criminal law firm</td>
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<td></td>
<td>Family law firm</td>
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<td></td>
<td>With a sole practitioner</td>
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<tr>
<td></td>
<td>Government</td>
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<tr>
<td></td>
<td>Community legal service</td>
</tr>
<tr>
<td>5 Where would you hope to undertake your traineeship?</td>
<td><strong>As many choices as relevant</strong></td>
</tr>
<tr>
<td></td>
<td>Large commercial firm</td>
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<tr>
<td></td>
<td>Mid-size commercial firm</td>
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<td>Small commercial firm</td>
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<td>Suburban firm</td>
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<td>Rural/regional firm</td>
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<td>Criminal law firm</td>
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<td></td>
<td>Family law firm</td>
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<tr>
<td>6 Where do you think you are most likely to get a traineeship?</td>
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</tbody>
</table>
7. When you become a practitioner, how important are the following factors:
- Recognition of your work
- Flexibility of hours
- Working with a good team
- Social activities organised by the firm
- Quality of work
- Remuneration
- Prestige
- Intellectual stimulation
- Client Contact
- Secondment
- Mentoring
- Training and development
- Potential to work overseas
- Contributing to the community

8. How much money do you think you will earn when you do your traineeship?

9. If you don't want to undertake a traineeship, will you undertake a Practical Legal Training Course? Where?

10. Have you ever volunteered at a community legal centre? If so, which one/s?

11. Could you see yourself working in a commercial law firm? Why/why not?

12. Could you see yourself working in a community legal centre? Why/why not?

13. Could you see yourself working in government? Why/why not?

If you answered “No” to question 3:

14. Why don’t you want to practice law?

If you answered “Yes” or “No” to question 3

15. Do you know how many community legal centres there are in Victoria?

With a sole practitioner
- Government
- Community legal service

Scale
- 1=very unimportant
- 2=unimportant
- 3=neutral
- 4=important
- 5=very important

Free text

One choice only
- No, I don’t want to do a PLT course
- Yes, Leo Cussen Institute
- Yes, College of Law,
- Yes, Monash University
- Yes, somewhere else free text

Yes / No and free text

Yes / No and free text

Yes / No and free text

Yes / No and free text

Free text

One choice only
- 1-15
- 16-30
- 31-50
- Over 50
- I have no idea how many community
What is the name of your closest community legal centre?

If you volunteer at a community legal centre, how did you find out about it and the opportunity?

Would you like to work or volunteer at a community legal centre but were unable? If so, why?

Does your university have connection/arrangements with any community legal centre? If so, which ones and what arrangements?

What types of work do community legal centres undertake?

Where would you get information about community legal centres?
Appendix 3: Summary of survey responses

Who responded?
- 328 students
- Significant samples from 5 Victorian law schools; students at RMIT (JD), College of Law and interstate universities
- Strong samples from each year level (1 - 6+)
- No other demographic data sought: ie gender, age, background.

Who wants to undertake a traineeship?
- Yes 80%
- No 20%

Where do they hope to undertake traineeship?
- 50% mid size commercial firms
- 40% large commercial firms or with the government (public service, regulators, AGS, VGS etc)
- 20% small commercial firm, criminal law firm or community legal service
- 15% suburban firm or family law firm
- 10% rural/regional firm or sole practitioner
- 3.5% other (including in-house, DPP, IP firm, plaintiff firm)

Where do they think they are most likely to undertake traineeship?
- 40% mid size commercial firms
- >20% large commercial firms, small commercial firms or the government
- >10% suburban firm, rural/regional firm or community legal service
- <10% criminal law firm, family law firm, sole practitioner or other

How much do they expect to earn during their traineeships?
- 35% $35k - $44k
- 27% $45k - $54k
- 20% $25k - $34k
- 10% $55k - $64k
- 8% $65k+

Scale of 1-5 (least to most important) factors in traineeships:
68. The following factors ranked most important (5):
   - working with a good team (59%),
   - quality of work (51%),
   - training and development (50%),
   - intellectual stimulation (44%),
   - mentoring (40%),
   - contributing to the community (37%), and
   - flexibility of hours (37%).

69. The following factors ranked as important:
   - recognition of your work (42%),
   - remuneration (42%),
   - client contact (37%), and
   - potential to work overseas (28%).

70. Flexibility and contributing to the community are considered more important by more respondents than remuneration and recognition of work. Some of the least important factors were social activities organised by the firm and the firm's prestige.

71. Contributing to the community in terms of importance outranked:
   - remuneration,
   - recognition of work,
   - social activities,
   - prestige,
   - client contact,
   - secondment opportunities, and
   - potential to work overseas.

Could you see yourself working...
   - in government? Yes 72% No 28%
– at a commercial firm?  Yes 65%  No 35%
– in a CLC?  Yes 59%  No 41%

CLC specific questions:
– 38% of respondents had volunteered at a CLC;
– 33% of respondents didn’t know the name of their closest CLC;
– only 15% of respondents knew the approximate correct number of CLCs (50+);
– 247 respondents demonstrated a knowledge of the work undertaken by CLCs; and
– almost all respondents would get information about CLCs from the internet.

72. Huge diversity in terms of the students interests, perspectives and aspirations. Ideally, and the aim of the CIC submission, is to ensure that the opportunities to these students matches the diversity of their aspirations.

73. Students have mixed perceptions about the reality of working in the different environments of commercial, government and CLCs.

74. Lots of comments relate to the low wages in CLCs, yet the SACS award is what most people put as the dollar amount ($35k - $44k) that 35% of students expect to earn in their traineeship year.

Would you work in a CLC?
– They work long hours on low wages, and deal constantly with issues of funding, time etc. It seems stressful and the contribution you make to the community is undervalued.
– Maybe not as a long term career move, but in the short term, I could definitely see myself working in a community legal center. I think that it would be a lot more rewarding (but challenging) on an emotional level.
– But only for a short period of time. The high burnout rates are a warning that this sector ultimately has an adverse impact on health.
– Poor pay progression and lack of funding for professional full time roles within the legal centres. Funding dependent on politics. Lack of resources and professional development.
– I am attracted to the social justice aspect and would actually get to help people rather than huge corporate brand names. I currently volunteer at a CLC and feel good after doing it.
– I could see myself doing some pro bono work, but not working there permanently. The Centres have few legal resources available eg
references material and generally as I understand it from others with experience there the client problems are very often 'life' problems and could/should be addressed by a social worker, psychologist or financial counsellor. Moreover many are the outcome of govt policy eg deinstitutionalisation of the mentally ill, and they deserve a better service than this mere bandaid. In my view Govt needs to devote more money to Legal Aid instead. In CLCs the lawyers are able only to give minimal assistance due to funding and other constraints, and often can't follow through.

– To be brutally honest, I think that Community Legal Centres are a great initiative, however, I would get so bored working at one. I feel that the work they do is somewhat stimulating, but at the same time, I feel there is a lot of sitting around doing absolutely nothing and that is something I just can't handle. I was really disappointed with the experience/exposure I have had with CLC’s to date, and am not sure whether it was just the CLC I was at, or whether it is a similar situation across the board. At the CLC I volunteered at, the solicitor didn't even see any clients whatsoever, it was all via the paralegals and information/advice was relayed. If I were dealing with clients at CLC’s, I would definitely want to be doing this on a face-to-face basis and not deal with an intermediary. I think that the community development and education aspect is fantastic but I wonder what the community actually takes from the information CLC's provide. I don't think that I could be a part of a group with that 'doubt' in my mind of whether my work was having an effect on people or not.

– Access to legal aid is important for everyone, irrespective of their financial or cultural background. So is basic legal education and awareness.

– Lack of respect from Committee of Management.

– Generally poor management.

– cannot stand the pathetic issues and stupid people I would have to deal with

– Can you do traineeships there?

– Not as a first job - the training is inadequate and I would like to start somewhere where I can be taught good skills. I would consider volunteering as an extra though.

– Lack of prestige

– Have 'worked' at a local one -too disorganised /too many conflicting personalities /too many personal issues spilling into their professional lives/ over run by women who couldn't decide on what clothes to wear to work !!! Clients came out second best ...ALWAYS

– Again, the answer to this question is a maybe. Perceptions that appeal to me: that you are contributing to society; autonomy and independence in
your work; being valued by your clients and having a more personal relationship with your clients; working in the real world - rather than in the business world; the enormous sense of satisfaction that you would feel when you have made a real and positive difference in someone’s life.

- Perceptions which don't appeal to me: that clients would be emotionally draining; the sense of hopelessness as an ultimate reality for many clients even if you help them in the short-term; the feeling that no one else really cares about other people in less fortunate situations; the low pay; being under-resourced and over-worked.

- The idea that you are assisting your community is of great importance to me

- I think I would find this type of work to be more interesting and more important. It is I think definitely than keeping rich people rich by practicing commercial law.

- Only as a volunteer outside of my regular job. I don't think that the pay will allow me to achieve my financial personal goals. (which are just to move out and buy a house and pay it off)

- Definitely, I already volunteer at a CLC and I thoroughly enjoy the work. I have really benefited from the input of qualified lawyers that work in the centre and I would appreciate the opportunity to offer the same guidance to law students in the future.

- I initially started my law degree with the intention of working for a legal centre, as I wanted a job that helped people and allowed me to have a wide variety of case work. My only reservation now is that articles are very hard to come by, as legal centres don't have much funding to train people, so I may have to seek articles in a private firm and then maybe move to a legal centre once I have some skills to offer.

- A community legal centre would be a place that you can see your work actually meaning something to someone, you would be getting recognition for everything you do, however you will more than likely be spread too thin and be paid too little, and that's why most people would not look at a community legal centre as a permanent career option. It would more likely become something that lawyers should aim to work for one day a week, or put a few hours a week in without pay.

- There's a lot of work involved for little recognition.

- No - purely because of the ridiculously low wage

- Certainly if I was to go into criminal law I would be happy to. Besides the experience one would attain, it would be nice to put something back into the community so to speak and would also assist to attain greater empathy of the day to day issues facing this part of the community.
– Opportunity to contribute to the community. Interesting and varied work. Contact with clients. Opportunity to make different to their lives. Less pressure, more manageable working hours. But perhaps not enough chance for specialisation, perhaps not remunerative enough.