

Rural Nebraska is approaching a crisis with the loss of lawyers in many counties, leaving their residents underserved. Currently, out of 93 counties, there are 12 counties with zero lawyers and an additional 18 counties with three or fewer lawyers.

It is projected that by 2027, if the lawyers that we expect to retire are not replaced, there will be 16 counties with zero lawyers and an additional 32 with three or fewer lawyers. The NSBA hears from attorneys in rural Nebraska, that they would like to retire but their clients won't let them. We hear that they would hire someone tomorrow, if the right person walked in the door, but no one is walking in the door. As Howard Olsen, past president of the NSBA from Scottsbluff put it, "Clients in rural Nebraska who used to find a lawyer across the street may now drive 50, 60 or sometimes 100 miles to find a lawyer to take care of routine matters like drafting a will, estate planning, or obtaining a divorce. For people of limited means, a long drive is a logistical hardship which requires buying gas, a day away from work, or sometimes an overnight stay—not to mention the legal fees involved.

Today I am going to talk about some of the efforts to address the declining lawyer population in Nebraska.

Rural Law Opportunities Program

I would like to start by talking about the Rural Law Opportunities Program

Modeled after the Rural Health Opportunity Program or RHOP, the Rural Law Opportunities Program is available at Chadron State College, the University of Nebraska at Kearney and Wayne State College. RLOP/KLOP must be from rural Nebraska. Students receive scholarships to fund their undergraduate education and will begin to develop their relationship with the University of Nebraska College of Law as early as their freshman year in college. Participants will be required to maintain a 3.5 cumulative GPA at their undergraduate institution to remain in the program. RLOP students who satisfy this GPA requirement, obtain a minimum LSAT score and meet other minor law school application criteria will be automatically accepted to the University of Nebraska College of Law.

As RLOP/KLOP participants, students will visit Nebraska Law for guest lectures, special court proceedings, observation of classes and networking activities. Nebraska Law administrators and admissions representatives will also visit the campuses of participating schools at least once an academic year to meet with students one on one. Between their junior and senior years, RLOP students will have the opportunity to participate in rural Nebraska internships. If you are interested in providing an internship opportunity please contact UNL College of Law Professor Anthony Schutz at anthony@unl.edu.

Students from the RLOP/KLOP programs are just now starting to graduate from law school and we are excited to see the results. The RHOP model, which has been in place for decades has around a 65% success rate, meaning two in three students return to rural Nebraska to provide health care services. We hope to see similar results in the legal field.

NSBA Rural Practice Initiative

The NSBA started its Rural Practice Initiative in 2013. The program connects rural employers with law students and lawyers looking for opportunities in rural areas of the state.

Interview Events

- Spring interview event is virtual with interviews taking place via Zoom.
- Fall interview event is in-person.
- Firms review resumes and can select law clerk and lawyer applicants to interview.
- Working to include paralegal interview component

Job Postings

- NSBA Career Center: For rural postings, we will keep a 30 day posting up until filled. When someone orders a 30 day posting, the NSBA also shares that posting on social media and on any applicable section listservs (e.g., family law or real estate probate and trust), If the publishing deadlines work out we also publish it in The Nebraska Lawyer magazine.
- If we receive a new openings in rural Nebraska we send the posting to students and lawyers who participated in the RPI interviews.

- Likewise, if we receive new resumes, we disseminate them to employers in areas where law students/lawyers are looking to be placed.

Map/Directory

It is worth noting that the law firms that are having success in hiring are those that are starting relationships early. To that end, the NSBA has created a directory and map of law students who have indicated an interest in rural practice and undergraduate students enrolled in the Rural Law Opportunities Program. By promoting the students who have self-identified as being interested in rural practice to law firms in rural Nebraska, we hope to help students make meaningful connections early on in their careers, increasing the likelihood that they will find mentors and employment opportunities in rural areas of the state.

We are encouraging future rural employers to reach out and take one of these students to coffee or talking to them about a summer internship or clerkship. Invite them to a local bar meeting and introduce them.

The additional benefit of the map is to help us determine if there are areas of the state where we do not have a sufficient pipeline of law school applicants/graduates so that we know where to focus more outreach efforts.

Next Steps

Speaking of outreach efforts, the NSBA is looking to formalize partnership with 4 H programs, university extension programs, chambers of commerce and organizations like Farm Bureau.

The NSBA is also hoping to develop a presentation for use by any rural practitioner who is invited to speak to their local school or civics organization about careers in the law.

Student Loan Forgiveness

A tool available to legal employers in rural Nebraska in the Legal Education for Public Service and Rural Practice Loan Repayment Assistance Program.

Eligibility Criteria:

Employment: A participant must be either: 1) a full-time, salaried attorney working for a tax-exempt charitable nonprofit organization in Nebraska whose primary duties are public legal service or 2) a full-time attorney primarily serving in a designated legal profession shortage area in Nebraska. Full-time employment is defined as not less than 75 percent of a 40-hour work week.

Legal shortage area: A designated legal shortage area is defined as "a rural area located within any county in Nebraska having a population of less than fifteen thousand inhabitants

Three Years: The Program's intent is to provide loan repayment assistance to participants for three years. In exchange, participants will provide legal services for three years while: 1) employed by a tax-exempt charitable nonprofit organization in Nebraska whose primary duties are public legal service, or 2) serving in a designated legal profession shortage area.

The maximum that an applicant receive is \$6K in support for one year.

f. Loan repayment assistance beyond initial three-year commitment: An attorney who received loan repayment assistance through this Program for three years and who for three years remained employed by a tax-exempt charitable nonprofit organization in Nebraska whose primary duties are public legal service or continued serving in a designated legal profession shortage area may be eligible for additional loan repayment assistance through this program. After the initial three year commitment, otherwise eligible participants may receive loan repayment assistance on a year-to-year basis.

For each subsequent year the participant receives loan repayment assistance, he or she must commit to provide qualified legal services for an additional year. Participants may receive loan repayment assistance in this manner until he or she has received the Program's maximum aggregate total of \$42,000.

Process

Program is administered by the Nebraska Commission on Public Advocacy

Applications are due in October. Not available on NCPA website (yet), but widely publicized by NSBA.

Board discretion. The Board can take into consideration the participants income, student loan debit and the income to debt ratio when making an award. A participant's receipt of assistance from other loan repayment assistance programs is a factor when determining whether and how much assistance will be provided.

Award is a one-time payment toward the principal balance.

If the recipient leaves employment, will be required to pay back.

Legislative Advocacy

It was legislative advocacy by the NSBA that helped expand the Legal Education for Public Service and Rural Practice Loan Repayment Assistance Program to include rural practitioners and provided funding for the program.

Currently, Nebraska is facing an unprecedented number of county attorney and public defender vacancies with no applicants. A working group including the NSBA, NACO, NCDAA, NCAA and the Judicial Branch has been working on package of bills that would provide greater flexibility to counties to improve compensation and benefits for lawyers in those positions and increase the amount of funding available through the Legal Education for Public Service and Rural Practice Loan Repayment Assistance Program

Closing

In closing this effort is not solely for the benefit of these lawyers. Attracting new graduates to rural areas is essential in ensuring access to legal services across the state, to keeping courthouses in rural communities open and to provide future leaders for many of these areas. Thank you for your support of this important work.

