

State Support for Legal Education

States should provide greater funding to improve access and affordability of legal education for underrepresented students.

Investment in higher education can lead to economic growth, individual social mobility and wider societal benefits as a result of services provided by a highly educated workforce. Through funding targeted at fields of study that lead to high-demand occupations, many of which require a graduate or professional degree, states have a key role to play in fostering these benefits. Without robust financial support, many students, particularly low-income students and students of color, may be effectively priced out of these pursuits.

One such field – law – can have a tremendous impact even on those who do not pursue a law degree.

The financial barrier to obtaining a law degree materially contributes to a crisis existing in communities in every state: **access to justice**. In many rural and urban communities, Americans struggle to afford adequate legal representation, creating a bifurcated society in which your ability to afford a lawyer can dictate whether your case is fairly adjudicated, or if it is heard at all. For this to happen, the legal profession must be accessible to sufficient numbers of students to meet the need that exists.

But the reality is that legal education is still out of reach for many students, particularly low-income students and students of color. Two-thirds of 2012 law school graduates came from families who earned \$90,000 or more in annual income, more than 150% of the country's median income.¹ And only 8 and 12 percent of law degrees were awarded to blacks and Hispanics, respectively, in 2018.²

State support for aspiring law students can help meet the occupational demand in the legal field: between 2016 and 2026, lawyer positions are projected to have the most job openings among positions that require a graduate or professional degree.³ This may be driven by the demand for attorneys in rural areas and the unmet legal needs of many Americans.

- Roughly 20 percent of Americans live in rural areas, but only about 2 percent of small law firms are located in these areas.⁴
- Over 60 million Americans are eligible for legal services-funded assistance, but fewer than two million were served due to a lack of capacity and resources.⁵

State budgets also stand to benefit greatly from these investments.

- **Increased tax revenue:** Professional degree recipients pay the highest median annual taxes (federal, state and local), followed by doctoral and master's degree recipients.⁶
- **Higher employment rates:** An estimated two million jobs nationally go unfilled because of gaps in education, skills and training.⁷
- **Reduced social welfare costs:** Higher educational attainment is shown to mitigate social welfare costs, such as public assistance and spending on incarceration.⁸

To retain highly educated and skilled talent and to ensure its citizens have access to critical legal services, states should provide greater financial support to ensure access to legal education for underrepresented students.

Types of financial assistance programs that states could implement to benefit both law students and the citizens they will ultimately serve include:

- Need-Based Grants
- Demographic-Based Grants
- Occupation-Based Grants
- State Work-Study
- Loan Repayment Assistance
- State Supplemental Loans

¹ AccessLex Institute. 2018. *Legal Education Data Deck*. <https://www.accesslex.org/index.php/legal-education-data-deck>

² American Bar Association. 2017. Section of Legal Education and Admissions to the Bar, ABA Required Disclosures. <http://www.abarequireddisclosures.org/>

³ U.S. Department of Labor, U.S. Bureau of Labor Statistics. 2017. Projections of Occupational Employment, 2016-26. <https://www.bls.gov/careeroutlook/2017/article/occupational-projections-charts.htm>

⁴ The New York Times. 2013. *No Lawyer for Miles, So One Rural State Offers Pay*. <https://www.nytimes.com/2013/04/09/us/subsidy-seen-as-a-way-to-fill-a-need-for-rural-lawyers.html>

⁵ Legal Services Corporation. 2017. *The Justice Gap: Measuring the Unmet Civil Legal Needs of Low-Income Americans*. <https://www.lsc.gov/justicegap2017>

⁶ College Board. 2016. *Education Pays 2016: The Benefits of Higher Education for Individuals and Society*. <https://trends.collegeboard.org/sites/default/files/education-pays-2016-full-report.pdf>

⁷ Georgetown University Center on Education and the Workforce. 2013. *Recovery: Job Growth and Education Requirements through 2020*. <https://cew.georgetown.edu/cew-reports/recovery-job-growth-and-education-requirements-through-2020/#full-report>

⁸ Urban Institute. 2018. *Evaluating the Return on Investment in Higher Education*. <https://www.urban.org/research/publication/evaluating-return-investment-higher-education>