

FINAL REPORT TO PUBLIC WELFARE FOUNDATION**RE: INCUBATOR PROJECT**

(1) Please describe the activities conducted during the grant period, including those not anticipated in your original proposal. What activities did you decide not to undertake?

In January 2015 we funded and initiated technical support for four incubator programs to serve low and moderate income Californians. Our goal was to address some of the unmet legal needs of Californians who cannot afford lawyers, using the opportunity presented by the growing number of unemployed and underemployed lawyers in California. We funded programs that proposed to train and help launch the careers of lawyers who will provide legal assistance to people who cannot afford to pay standard legal fees, and to show that they can sustain a career doing so.

In October 2015 we hosted a convening of all California incubator programs. We provided travel funds for two representatives from each of the grantee incubator programs, and for one representative from each of the other California incubators. All eleven programs were represented at the full day meeting, where they discussed incubator issues and shared information with each other.

Since the convening, we have facilitated planning by our grantees for two daylong incubator “boot camp” programs to be broadcast by the Practising Law Institute in 2016 and available on the web thereafter. We are helping to develop comprehensive incubator evaluation tools with our grantees, in order to create evaluation tools that we can share with other programs.

In 2014 we did extensive education and outreach on the subjects of incubators and modest means, in order to encourage high quality proposals from around California. The education component was important because the legal incubator concept was new to most people, and the outreach convenings were necessary because we anticipated that the best programs would be partnerships, and our meetings could generate matches. We held daylong programs in San Francisco, Fresno, and Los Angeles, and the nearly 250 attendees included representatives of law schools, bar associations, lawyer referral services, county law libraries, and legal services. Panels of incubator lawyers, modest means lawyers, and academics presented each of the mornings, followed by workshops in the afternoons where participants could discuss and plan sample incubators. We also produced the *Incubator Guide* so that potential incubators would know about the various structures of incubators around the country, and might use that information when constructing their own proposals. The American Bar Association has posted a link to the guide on their site, and it received favorable

coverage in several legal publications, because it distilled and described the incubator movement nationally.

We were able to be frugal with our outreach spending, by finding free venues and local speakers, but still providing scholarships for travel to remote legal services offices. With those savings and another small grant from the California Bar Foundation we had more money to distribute to grantees than we originally proposed. We had planned to give \$150,000, but were pleased to give \$180,000 in four \$45,000 grants.

We selected our grantees from among 24 proposals, nearly all of which were viable. The selection was based on the quality of their proposals and evaluation plans, in addition to geographic and programmatic diversity. The four grantee incubators are as follows:

- Northern California Lawyer Access (NCLA) Academy is based in a lawyer referral service that covers the 20 northernmost California counties, from the Pacific Ocean to the Nevada border, an area that is larger than the state of Ohio. It began with four participants in July 2015. Despite their small size, they provided legal assistance to victims of the wildfires that hit their area last year. FEMA was pleased to have their help, because they were able to provide legal information to people who had questions.
- The Los Angeles Incubator Consortium (LAIC) includes three law schools (UCLA, Pepperdine, and Southwestern), five legal aid organizations, and the Los Angeles County Law Library. It opened in March 2015 with nine participants. LAIC participants are proficient in eleven languages, many of which are needed in low income communities in Los Angeles, including Korean, Farsi, Arabic, Mandarin, Cantonese, Armenian, Urdu, and Spanish.
- Lawyer Entrepreneur Assistance Program (LEAP) is an incubator within the Legal Aid Society of Orange County (LASOC) in collaboration with the law schools at University of California at Irvine, Whittier and Chapman. LASOC initiated the incubator in 2014, and used our funding to expand the program in 2015. In 2015 they had 45 participants join their incubator program. LASOC has a law referral service, in addition to being a legal services office, so the program is the most robust, and serves tens of thousands of people in a variety of ways, all of which incubator participants can assist with
- The Bay Area Legal Incubator (BALI) is a project of the Alameda County Bar Association, and it includes five law schools (Hastings, Berkeley, Golden Gate, Santa Clara, and University of San Francisco), the Alameda

County Bar Association, and the Alameda County Law Library. They launched their incubator in January 2015 with 13 participants, and will be exciting to watch. It is the only program that includes a residential component, where participants receive a stipend for the first six months. The stipends are financed by contributions from the law schools, which BALI solicited.

We contracted with Fred Rooney to provide assistance to each of the programs in 2015. Mr. Rooney is an international expert on incubator programs who has helped to create several incubator programs in this country and around the world. He has spent time at each of the grantee sites, met with incubator administrators and participants, and made recommendations to each. Mr. Rooney also has introduced potential partners and funders to incubator administrators as he deemed it needed.

(2) What outcomes did you achieve during the grant period? What anticipated outcomes were not achieved? Please explain.

We are delighted to report that three of our four grantees have trained dozens of lawyers who now have sustainable, low-fee law practices, and that during their time in the incubators, those attorneys provided thousands of hours of pro bono legal assistance, and closed hundreds of direct services cases. The same three incubators are starting a second round of their programs in February, with more participants in 2016 than in 2015. The fourth incubator started two weeks ago, with another dozen participants and 6,500 pro bono hours promised.

From 3 programs, as of 1/15/16

New Attorneys Graduated	58
Pro Bono Legal Assistance	11,938
Hours	
Total Hours of Practice	5,500
Training	

In addition to the work of the four grantees, we are pleased to note that, as a result of our 2014 outreach and education, two other incubators started in 2015 despite our not funding their proposals, two more incubators will be launched in California in 2016, and at least three lawyer referral services have added moderate means panels. We also have heard from several programs nationally that they relied on the [Incubator Guide](#) that we created, when planning their respective programs.

While most of the program participants have set up solo or small practices serving moderate means people, a few have been offered jobs by mentors or opposing counsel. The incubator programs report that so far those participants have continued to do pro bono work, so we are hopeful that they have absorbed the program's ethos. We also note that the incubators must be training well, because these offers are coming from lawyers who have seen the participants in action. NCLA was contacted by a rural solo practitioner who was hoping that a participant would take over his practice, after he read about the Academy.

We were unable to fund a program in the Central Valley of California, despite our outreach efforts and a grant offer in response to an excellent proposal. The proposing law school declined the grant after they were unable to find enough participants among their alumni. There is so much unmet need in the Central Valley, and so few lawyers per capita, that we had made the area a priority. The law school reported that nearly all of their graduates are hired each year because of the paucity of lawyers in the area.

(3) What were the biggest challenges to your work during the grant period? What still needs to be done to achieve your goals under the grant? Please explain.

It has been a challenge to achieve the same successes in rural California that we have seen in the urban incubators. When the Central Valley law school (*see (2) above*) declined to accept our grant offer, we awarded it to Northern California Lawyer Access, a lawyer referral service (LRS) that covers the 20 northernmost counties of the state, all of which are rural. Their plan is to bring more lawyers to the region, and to provide office space, training, and mentoring, while the participants build practices serving modest means clients. Participants are expected to provide pro bono legal assistance to some of the 75% of NCLA's callers who the LRS cannot place with lawyers. Despite inquiries from more than 20 lawyers who were interested in living in rural California, NCLA opened with only four participants in July. (Many of those who inquired were reluctant to relocate without an assured income.) While each participant has completed approximately 100 pro bono hours, they were unable to assist as many as they might have because the phone system was inadequate.

We have provided extra technical support to the NCLA Academy, because NCLA has a tiny budget, antiquated equipment, and only two staff persons, one of whom is half time. We knew that they would need extra technical and monetary assistance from the State Bar, because there are no law schools, foundations, or major bar associations within their 20 counties. They have used their 2015 grant to upgrade an outdated phone system and to rent a larger office to house incubator program participants. Fred Rooney, our incubator expert, has

spent more time with NCLA than with the other programs, and recently has helped them to network with several county courts, as well as connecting them with a law school in a county that borders on the area that they serve. We received another \$20,000 from the California Bar Foundation to support NCLA's 2016 plan to install offsite computers for users in need of legal assistance. Broadband access is rare and expensive in many of NCLA's counties, so many potential clients do not have internet access. With these new computers to upload documents and communicate face to face with clients, incubator lawyers can serve more people without either party being forced to drive hours for a meeting.

We will continue to try to connect NCLA with other funding and support, because we believe that there is great potential for this model in counties where most incomes are low or moderate, and most private attorneys have solo practices. There are vast rural areas of California that are underserved, with several counties having only a handful of lawyers and a few counties having none. Rural California has a higher poverty rate than urban California, and a higher percentage of seniors, people living with disabilities, veterans, and victims of workplace accidents, so there is a great deal of unmet need. We are hopeful that the incubator model can help diminish the justice gap in NCLA's area, and can serve as a replicable model, so we are anxious to see it succeed.

(4) Describe the methods used to evaluate and assess your work.

Our request for proposals required an evaluation plan, and our grantee agreements included evaluation forms that they were required to submit in July and in January. The forms included quantitative questions about training and pro bono, but they also included qualitative questions, because we want as much data as possible to figure out correlations, problems, best practices, and whatever else we can glean to make planning easier for future incubators. Because each program had a different start date, and a different support configuration, not all data is comparable or combinable. LEAP distributed surveys to learn about the participants learning following trainings, and about their experience in the program, as well as distributing surveys to clients. All of the programs are interested in continued evaluation and data sharing, so we will continue this process. We also have invited two professors who work in both law and statistics to work with our final data.

We convene a monthly conference call, which have proved to be an unplanned tool for ongoing evaluation. The initial purpose of the call was to provide an ongoing discussion forum, but it has been invaluable to us in gauging where each incubator is in the implementation process, what they might need, and

what we should assist with. The incubator administrators also share and learn so much from each other on these calls.

(5) Provide additional reflection on strategic lessons learned and, if applicable, your plans to adjust strategy moving forward.

We have learned two major strategic lessons:

1) There is no single form that an incubator must take to be successful: each of the four grantee incubators is sponsored and supported in a different way, and each has strengths and limitations. For example, LEAP is extremely robust, has created a whole series of YouTube training videos, has retired commissioners doing weekly case meetings with the participants, is connected to both legal services and a lawyer referral service, so that they can get broad training, provide assistance to legal services clients with experienced supervision, and get modest means referrals, all in one office. On the other hand, if NCLA thought that they could not have an incubator without all of those components, hundreds of people would not have received pro bono assistance this year. The small town atmosphere has its benefits, too, as the small local legal community has warmly and personally embraced the Academy.

2) We have been surprised at how much staff time this project has required from us, despite how generously the incubator grantees have supported each other, and we would adjust to better support the demands on us, as well as ways for them to support each other in the future. The grantees and our consultant contact staff regularly, for a variety of reasons, and we have traveled to visit the programs and to support them. The grantees have shared advice, templates, law school, and funding connections, in ways that have benefitted all, but there continues to be a need for State Bar assistance. We are aware that this will continue into the future, but because the incubators are already chipping away at the justice gap, we will explore ways to support these incubators and perhaps try to fund new ones going forward.

(6) What groups are you working with in achieving your outcomes under the grant?

We are working with the grantee agencies and their partners: Alameda County Bar Association, Northern California Lawyer Access, Legal Aid Society of Orange County, and the Los Angeles Incubator Consortium are the grantees, each of which has other partners. We have only worked directly with some of the Los Angeles Incubator Consortium partners: Southwestern School of Law clinical faculty, UCLA clinical faculty, and Los Angeles County Law Librarians.