

## Women in Legal Aid Programs Are Doing Good, *But Are They Doing Well?*

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In 1964, the federal Legal Services Program was begun, solidifying a national commitment to access to justice for all. Sargent Shriver, the first director, envisioned attorneys collaborating with community organizations to address the systemic problems poor people face. The law would be used to make social change in an orderly manner.

Florida's legal aid programs have had tremendous impact, from *Silvey v. Roberts* in 1973, which established that public assistance recipients were entitled to a notice and hearing before prescription drug aid could be terminated, to *Lulac et al. v. Florida Board of Education et al.*, a 1990 case specifying educational rights of students with limited English proficiency. Day

in and day out, legal services attorneys have expanded the rights and access to justice of low-income women and families. From the beginning, women made up the majority in Florida's poor communities, making "poverty law" a field of special importance to women.

Now, women also make up a majority of legal services lawyers, and both the opportunities and the challenges they face are important issues for those concerned with women in law.

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### An Opportunity and a Challenge

The Florida Bar Foundation funds 31 legal services providers, relying on interest on lawyers trust accounts funds and donations from the legal community. There are roughly 400 legal services lawyers in the state. Of those, 73 percent are women. This is a dramatic change. The increase has brought expanded opportunity—a slight majority of managers and directors are women, and women of color make up one-quarter of all legal services lawyers in Florida.

Marcia Cypen, executive director of Legal Services of Greater Miami (LSGMI), is a trailblazer. Ms. Cypen started as a law clerk at LSGMI in 1974. By 1983, she was executive director—the second female director of a federally funded legal services program in Florida. She believes "the legal services community was always a welcoming one for women attorneys, although not necessarily as executive directors."



There is an underside, however. The predominance of women in any professional subgroup tends to correspond with a decrease in relative pay. Thirty-two percent of Florida's lawyers overall are women, less than half the percent concentrated in legal aid. For already-underpaid legal aid lawyers, improving standards is critical.

A 2007 study focused on retention, noting that legal aid attorneys believe strongly their work is valuable. Nevertheless, annual turnover in recent years has been 20 percent, with more than half indicating they would leave within five years because of financial pressures. The 2007 median starting salary for an attorney was \$38,500, and it took nine years to reach a salary of more than \$50,000. Low salaries are compounded by high educational debt, with a median debt of more than \$110,000 for recent graduates. As of 2007, only roughly 60 percent received any debt assistance. As a result of the survey, the Bar Foundation and legal services programs have increased starting salaries to \$43,500, given modest annual increases and provided additional loan repayment assistance. Many programs also try to provide flexible scheduling and a family-friendly environment.

## Making a Difference

More than salary is at stake. Legal services attorneys balance great stress with great non-economic rewards. High-need clients and large case loads can make for a difficult work life. On the other hand, legal aid lawyers often have significant autonomy and report great personal satisfaction.

Jacina Parsons, an attorney with Legal Services of North Florida, works with victims of sexual violence. Her work "is emotionally draining and requires a great deal of patience, but it brings me joy to see a person go from victim to victorious."

The appeal of such rewarding work draws lawyers from all backgrounds. Tess Arington, director of intake at

Jacksonville Area Legal Aid (JALA), made the transition from a private firm. "The practice of employment law for poverty clients is quite different," Ms. Arington explains. "I went from federal wage cases valued in hundreds of thousands of dollars to quickly learning small claims court and negotiation tactics effective with disreputable employers so I could recover small amounts that were critical to my clients to avoid eviction. My eyes were opened to a different world."

Legal services attorneys are supplementing direct services with new approaches. One such approach, called "community lawyering," involves partnering with community groups and combining legal advocacy, education, communications, research and organizing to address systemic problems. "Legal services programs are playing a key role in the lives of low income women, immigrants and women of color—supporting their efforts to organize and struggle for their rights," comments Mary Gundrum, managing attorney at Florida Immigrant Advocacy Center (FIAC).

## The Next Generation

In January 2009, the first Leadership Development Institute (LDI) began, a 14-month program sponsored by the Bar Foundation. Fifteen mentor-fellow pairs worked to develop a shared vision, implement new projects and foster the sort of aggressive, creative advocacy that is the hallmark of great legal services lawyering.

"The Institute not only taught lawyers critical management and changing leadership skills, but firmly grounded us in legal services history as part of the civil rights movement and war on poverty, which are still ongoing 40 years after their inception," notes Ms. Arington, who volunteered to be a

mentor. "The passion and commitment demonstrated by the fellows was incredible. I know legal services clients throughout Florida will benefit."

For Dawn Bates-Buchanan, a fellow from Gulf Coast Legal Services, twin messages of responsibility and support were clear: "I was reminded that if a problem is affecting my client, there is a good chance that it is happening to others throughout Florida, and I am not alone in the fight."

## Legal Allies

Legal aid lawyers often work closely with private attorneys, who volunteer their

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time, offer advice or help raise funds. Pro bono attorneys, for example, provide essential assistance with transactional work, explains Carol Miller of JALA, helping community development corporations carry out "nonprofit real estate development in areas where deals are not feasible for the private market due to hurdles such as liens on property, title problems, environmental problems and poor infrastructure."

Lizzie Johnson, who handles consumer claims with Community Legal Services of North Florida, points out that pro bono attorneys often "bridge the gap" when more individuals qualify for services than can be helped, and thus "ensure many elderly and poor clients that justice will not pass them by."

"Women attorneys in legal services and private practice communicating their experiences and insights undoubtedly helps," says Aidil Oscariz, a children's advocate at the Florida Immigrant Advocacy Center. "It enhances not only our professional growth, but also builds a strong sense of community among female law practitioners." ●