Appendix D

Interview Protocols

Law School Survey Protocol

SURVEY ON TRENDS IN LEGAL EDUCATION AND THE LEGAL PROFESSION:
AN OVERVIEW

A multidisciplinary research team at RAND\(^1\) is conducting a study to understand how legal education and the law profession might change in the coming decade. With funding from the Office of the President of the University of California, we’re trying to assess the likely supply of and demand for practicing attorneys in the next 10 years or so.

In part we will rely on trend projections derived from existing labor and population data sources. But we also need to consider how these trends might be affected by other factors, such as emerging high-tech specialty areas, growing international trade, public attitudes, and so on. For these kinds of insights we’re interviewing knowledgeable individuals in California’s top law schools and firms.

The interview takes about 45 minutes. We will not identify responses with interviewees personally or with their institutions in any study reports. All findings will be presented in aggregate or general form. We will ask you to answer questions from the perspective of your school’s experience, although we would also be happy to get comments on the broader context.

SURVEY ON FUTURE SUPPLY AND DEMAND TRENDS

I’d like to begin with some questions about trends in law schools and the future supply of practicing lawyers. Please answer from the standpoint of your school’s experiences and plans. Of course, we’d also be happy to get your impression of the broader trends.

1. First, do you anticipate any overall changes in numbers of individuals who apply, are admitted, and enroll in law schools in the next decade?
   a. Changes in where, geographically, enrolled law students are coming from (within the region, within the state, out of state)?
      • Can you estimate the proportion of your current students who come from within the state? (IF YES, probe for the percent who come from within the specific region.)
   b. Changes in race/ethnicity of enrolled law students?
   c. Other demographic changes (gender? age? economic status? other?)?
   d. Changes in desired specialties (e.g., environmental law? intellectual property? biotechnology? other?)?

2. What about anticipated changes in the approach to legal education?
   a. Smaller clinic style courses?

---

\(^1\) RAND is a nonprofit organization based in Santa Monica, California, that does policy research in the public interest.
b. Full- versus part-time enrollment?
c. Joint programs with other schools/departments?
d. Off-campus sites?
e. Distance learning?
f. Other?

3. Other kinds of changes in the law school environment?
   a. Changes in curriculum?
   b. Changes in faculty hiring (e.g., other disciplines)?
   c. Changes in emphases (e.g., pro bono work)?
   d. Other changes? (e.g., more student legal associations sponsored? New journals or publications started?)?

4. More generally, do you think ABA-approved law schools on the whole are moving in similar directions—or are significantly different directions likely to be taken in the future?

Now I’d like to change the focus and ask some questions about trends in the legal profession and the future demand for practicing lawyers.

1. First, do you envision any overall changes in the level of demand for lawyers in the coming decade?
   a. Changes in where, geographically, graduating law students will go to practice after graduation (within the region, within the state, out of state)?
      • Probe for the extent to which—if at all—the location of the law school influences the location where graduates go to practice?
   b. Changes in demand for lawyers of color in California?
   c. Changes in demand for lawyers based on other demographic factors (gender? age? economic status? other)?
   d. Changes in demand for lawyers with specific specialties? Do there seem to be new or growing areas of demand (e.g., environmental law? intellectual property? biotechnology? other)? Are there any specialties where demand is declining?

2. Changes in the way the demand for legal services will be met?
   a. Greater or less reliance on paralegals?
   b. Greater or less reliance on alternative dispute resolution mechanisms?
   c. Web/Internet-based delivery of legal services (e.g., “Virtual Law Offices”)?
   d. Other?

3. Other kinds of changes in the professional environment for lawyers?
   a. Changes in work settings (e.g., more/fewer lawyers going into government or nonprofit settings? more/fewer lawyers hired as in-house counsel? more/fewer lawyers in private law firms)?
   b. Changes in patterns of practice—types of first jobs versus subsequent jobs in lawyers’ career paths?
   c. Changes in size of law firms (more large firms? more small specialty or boutique firms? other)?
   d. Changes in number of firms with multisite—even national—practices?
   e. Other changes?
4. On the whole, would you say the professional environment for lawyers will remain fairly stable over the coming decade—or do you envision major changes in the professional landscape in the future?

Finally, I’d like to ask you a big picture question.

1. Overall, what do you think will be the most important influences on the nature of legal education or the legal profession in the next 10 years (changes in public attitudes? changing demographics? new regulatory trends? increasing economic globalization? the information revolution?)?

2. Are there other people in your law school whom you think we should speak with about these issues?

3. Are there other knowledgeable individuals elsewhere in academia or professional practice we should be asking about these issues? Whom would you recommend?

Thanks very much for taking the time to talk with me today. We really appreciate it.

**********

Law Firm Survey Protocol

SURVEY ON TRENDS IN THE LEGAL PROFESSION:
AN OVERVIEW

A multidisciplinary research team at RAND\(^2\) is conducting a study to understand how legal education and the law profession might change in the coming decade. With funding from the Office of the President of the University of California, we’re trying to assess the likely supply of and demand for practicing attorneys in the next 10 years or so.

In part we will rely on trend projections derived from existing labor and population data sources. But we also need to consider how these trends might be affected by other factors, such as emerging high-tech specialty areas, growing international trade, public attitudes, and so on. For these kinds of insights we’re interviewing knowledgeable individuals in California’s top law schools and firms.

The interview takes about 30 minutes. We will not identify responses with interviewees personally or with their institutions in any study reports. All findings will be presented in aggregate or general form. We will ask you to answer questions from the perspective of your firm’s experience, although we would also be happy to get comments on the broader context. What follows are the main points the survey will cover.

\(^2\) RAND is a nonprofit organization based in Santa Monica, California, that does policy research in the public interest.
I’d like to begin with some questions about trends in the legal profession and the future demand for practicing lawyers.

1. First, do you envision any overall changes in the level of demand for lawyers in the coming decade?
   a. Changes in where, geographically, graduating law students will go to practice after graduation (within the region, within the state, out of state)?
   - Probe for the extent to which—if at all—the location of the law school influences the location where graduates go to practice?
   b. Changes in demand for lawyers of color in California?
   c. Changes in demand for lawyers based on other demographic factors (gender? age? economic status? other?)?
   d. Changes in demand for lawyers with specific specialties? Do there seem to be new or growing areas of demand (e.g., environmental law? intellectual property? biotechnology? other?)? Are there any specialties where demand is declining?

2. Changes in the way the demand for legal services will be met?
   a. Greater or less reliance on paralegals?
   b. Greater or less reliance on alternative dispute resolution mechanisms?
   c. Web/Internet-based delivery of legal services (e.g., “Virtual Law Offices”)?
   d. Other?

3. Other kinds of changes in the professional environment for lawyers?
   a. Changes in work settings (e.g., more/fewer lawyers going into government or nonprofit settings? more/fewer lawyers hired as in-house counsel? more/fewer lawyers in private law firms?)?
   b. Changes in size of law firms (more large firms? more small specialty or boutique firms? other?)?
   c. Changes in number of firms with multisite—even national—practices?
   d. Changes in patterns of practice—types of first jobs versus subsequent jobs in lawyers’ career paths?
   e. Other changes?

4. In our research we’ve found a large proportion of California Bar members who are inactive—eligible to practice but do not currently practice. Can you shed any light on this situation? Can you speculate as to why this might be so?

5. Do you envision a large enough supply of law students graduating from ABA-approved law schools in California to meet the future needs of the profession?

Finally, I’d like to ask you a big picture question.

1. Overall, what do you think will be the most important influences on the nature of legal education or the legal profession in the next 10 years (changes in public attitudes? changing demographics? new regulatory trends? increasing economic globalization? the information revolution?)?

2. Are there other knowledgeable individuals elsewhere in professional practice we should be asking about these issues? Whom would you recommend? We would especially like to get the perspective of smaller firms, if you can suggest any.
Thanks very much for taking the time to talk with me today. We really appreciate it.

**********

Expert Survey Protocol

SURVEY ON TRENDS IN THE LEGAL PROFESSION:
AN OVERVIEW

A multidisciplinary research team at RAND\(^3\) is conducting a study to understand how legal education and the law profession might change in the coming decade. With funding from the Office of the President of the University of California, we’re trying to assess the likely supply of and demand for practicing attorneys in the next 10 years or so.

In part we will rely on trend projections derived from existing labor and population data sources. But we also need to consider how these trends might be affected by other factors, such as emerging high-tech specialty areas, growing international trade, public attitudes, and so on. For these kinds of insights we’re interviewing knowledgeable individuals in California’s top law schools and firms, including deans of California’s top ABA-approved law schools, representatives of law offices, and selected highly knowledgeable experts. You fall in the latter category. For the experts we have a very brief elite interview that asks about what major factors (outside of those included in labor economists’ projections) are likely to have big effects on supply and demand in the legal profession in the coming decade.

The interview takes about 30 minutes. We will not identify responses with interviewees personally or with their institutions in any study reports. All findings will be presented in aggregate or general form. What follows are the main points the survey will cover.

Supply Side:
1. In our research we’ve found a large proportion of California Bar members who are inactive—eligible to practice but do not currently practice. Can you shed any light on this situation? Can you speculate as to why this might be so?
   a. What effect will this have on supply and demand? Obviously will decrease immediate supply, but there will still be a reserve pool of lawyers. Will increases in wages bring these people back into the legal profession?
   b. Do the factors responsible for the increasing proportion of inactives threaten the future supply of new lawyers? (just as high wages bring in potential lawyers, won’t negative perceptions of quality of life deter potential lawyers?)

Demand Side:

\(^3\) RAND is a nonprofit organization based in Santa Monica, California, that does policy research in the public interest.
2. Extent to which many of the trends people have mentioned will actually increase the demand for lawyers, for example:
   a. **Alternative Dispute Resolution**: may draw in lawyers, *but from where?* And will this increase be offset by a decrease in demand for litigators?
   b. **Multidisciplinary Practice**: everyone talks about “The Big Five,” and the increasing involvement of the accounting firms in the practice of law. What effect will this have on supply and demand?
      - It seems that as consulting firms suck up lawyers, all other sectors of the legal profession (mostly private firms) will have to replace them…
   c. **Size**: Similarly, what effect will the trend towards larger, multisite, and multinational practices have on demand? Seems that this would increase demand, as firms get larger they’ll need more lawyers.
      - Many have suggested that increasing globalization will increase demand for American lawyers because they are so well trained. Do you think that overall this trend towards globalization will increase demand?
   d. **The Internet and other technological advances**: everyone talks about increasing efficiency and demand on the part of clients for greater productivity. Many folks talk about lawyers working harder, longer hours.
      - How, and to what extent, will technology influence the demand for lawyers?
      - Technological advances in terms of telecommuting—some have said that they believe that location will become less important, and people would migrate away from expensive locales like Los Angeles and San Francisco. Do you think that technological advances will make location less important in the future? Would this result in California being less attractive within the legal profession?

3. Do you envision a large enough supply of law students graduating from ABA-approved law schools in California to meet the future needs of the profession?

Finally, I’d like to ask you a big picture question.

4. Overall, what do you think will be the most important influences on the nature of legal education or the legal profession in the next 10 years?

Thanks very much for taking the time to talk with me today. We really appreciate it.

**********