



KANSAS
Rural Justice
Initiative

December 2024

COMMITTEE
FINAL REPORT
to the Kansas Supreme Court



*Examining unmet legal needs
across rural Kansas.*

Kansas Rural Justice Initiative Committee
Report to the Kansas Supreme Court

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Overview

The Rural Justice Initiative Committee visited Great Bend to hear from area legal professionals about challenges and opportunities living and working in a rural area.

The lack of attorneys in rural areas has been a problem for far too long. But now the shortage of attorneys in rural Kansas has become a crisis.

Rural attorneys and judges alike agree that there are not enough attorneys to meet the needs of their communities. The data supports this conclusion.

Although more than half the population resides in rural Kansas, only about 20% of Kansas attorneys working in the state practice there. Those who do practice in rural Kansas are typically older and closer to retirement.

The median age of rural Kansas attorneys is 55 years, compared to 51 years for urban attorneys. Without action, the number of attorneys living and working in rural Kansas will continue to decline.

Demographic Fact

55 Median Age of Rural Attorneys in Kansas

The impact of this decline is significant and widespread. Rural judges struggle to find attorneys in cases where the right to counsel is guaranteed by constitution or statute—cases where a person’s very liberty or right to parent their child is at stake. Attorneys are turning away potential clients each week because they cannot meet the demand in their communities. Residents and local businesses are forced to travel greater distances for legal services or proceed without counsel altogether. And the loss of an attorney has a ripple effect that adversely impacts the economic viability and social fabric of rural communities. We must act now to mitigate these adverse impacts.

Committee Recommendations

The Rural Justice Initiative Committee (Committee) offers the following recommendations:

RECOMMENDATION 1

The Kansas Supreme Court should collaborate with the Kansas Legislature, the University of Kansas School of Law, and Washburn University School of Law to establish a rural-attorney training program. That program should create tuition-reimbursement incentives to encourage prospective attorneys to attend law school in Kansas and ultimately practice in rural Kansas.

RECOMMENDATION 2

The Kansas Supreme Court should work in conjunction with the Kansas legislative and executive branches to establish a student loan repayment program for attorneys living and practicing in rural Kansas.

RECOMMENDATION 3

The Kansas Supreme Court should support efforts to develop a professional organization for rural attorneys to collaborate on issues relating to the recruitment and retention of attorneys in rural Kansas.

RECOMMENDATION 4

The Rural Justice Initiative Committee should transition from an ad hoc committee to a standing committee. The standing committee can facilitate implementation of approved recommendations, monitor results, and continue to study trends and developments relevant to rural justice and attorney shortages in Kansas.

RECOMMENDATION 5

The Kansas Supreme Court should direct the Office of Judicial Administration to consider the needs of rural jurisdictions in developing and executing projects and resources. The Office of Judicial Administration should dedicate staff to focus on rural-justice initiatives, develop comprehensive practice forms and other resources to aid rural attorneys in their practice, and assist other organizations committed to similar objectives.

RECOMMENDATION 6

The Kansas Supreme Court should collaborate with the Kansas Department of Commerce and its Office of Rural Prosperity to highlight resources available to help attorneys manage their businesses.

RECOMMENDATION 7

The Kansas Supreme Court should support civics education programming and outreach efforts for K-12 students in rural Kansas.

RECOMMENDATION 8

The Kansas Supreme Court should encourage pre-law programming and rural outreach efforts at Kansas universities.

RECOMMENDATION 9

The Kansas Supreme Court should support opportunities for outreach in rural Kansas communities during law school.

RECOMMENDATION 10

The Kansas Supreme Court should encourage rural attorneys to collaborate with other professionals in grassroots efforts to support and sustain Kansas communities.

These recommendations are based on months of research. This report highlights the Committee’s processes, the data collected, key findings from the data, and the Committee’s recommendations.

The report is organized as follows:

- **Committee Charge and Process**—describes the purpose and objectives of the Committee.
- **Understanding the State of Rural Attorneys in Kansas**—summarizes data related to attorneys in rural Kansas.
- **Barriers to Practice in Rural Kansas**—describes the common barriers keeping attorneys from beginning or maintaining a practice in rural Kansas.
- **Understanding Financial Barriers and Recommendations**—delves into the financial challenges that prevent attorneys from practicing in rural Kansas and offers recommendations for overcoming those challenges.
- **Understanding Practice Barriers and Recommendations**—discusses common themes in the practice of law that present challenges to rural attorneys and provides proposals on addressing those challenges.

- **Understanding Cultural Barriers and Recommendations**—details cultural challenges that prevent attorneys from starting or maintaining a practice in rural Kansas and offers potential solutions to those challenges.
- **Conclusion**—provides the Committee’s final thoughts.



Committee Charge and Process

Chief Justice Marla Luckert speaks at the Rural Justice Initiative kickoff meeting.

Recognizing the severity of the situation, Chief Justice Marla Luckert established the Committee on December 1, 2022, through Administrative Order 2022-CM-081. Leaders from across the state with a passion and interest in serving rural Kansas were carefully selected to serve on the committee and divided into three subcommittees:

- Information Gathering and Data Collection;
- Attorney Recruitment and Retention; and
- Judicial, Legislative, and Community Initiatives and Solutions.

Each subcommittee was assigned specific duties identified in the administrative order, and a Steering Committee was created to offer guidance in the ultimate delivery of written recommendations to the Kansas Supreme Court.

Subcommittee Assigned Duties

INFORMATION GATHERING AND DATA COLLECTION SUBCOMMITTEE

- Collecting information and data about unmet legal needs across rural Kansas, including considerations for rural counties with different population densities.
- Studying pertinent statistical trends related to Kansas' population and demographics, including those specific to attorneys and other professionals who support court and court-adjacent programs.

ATTORNEY RECRUITMENT AND RETENTION SUBCOMMITTEE

Studying rural incubator programs directed at professionals, including programs highlighted by the National Center for State Courts Rural Justice Collaborative, to determine whether those programs or elements of them may be useful to a coordinated Kansas effort.

- Examining court-based and court-adjacent programs used in other states to bolster the availability of attorney services in rural areas.
- Examining existing rural attorney-recruitment projects in Kansas to make recommendations for supporting and expanding those projects.

JUDICIAL, LEGISLATIVE, AND COMMUNITY INITIATIVES AND SOLUTIONS SUBCOMMITTEE

- Identifying strategies to provide attorney services remotely in rural areas.
- Identifying options for non-traditional resolution of legal issues in rural environments, including alternative dispute resolution.
- Assessing judicial best practices that facilitate meeting legal needs across Kansas and identifying any impediments to implementing those best practices.
- Recommending any necessary changes in law, regulation, or rule to improve the availability of attorney services in rural Kansas.

The Committee promptly began by examining current attorney-registration statistics in Kansas.

It elected to convene at least every other month. The subcommittees met more often. The Committee and subcommittees were very active hearing from experts, conducting research, and sharing the information that they were gathering.

To draw on the experience of others, the Committee invited experts who have addressed professional shortages in rural areas. The Committee obtained important insight from these speakers and the programs they developed. These speakers included:

- Marci Penner and Sarah Green, Co-Directors of the Kansas Sampler Foundation, who provided the findings of the PowerUp and Go Report, <https://kansassampler.org/2KansasPowerUp&Go>. The PowerUp and Go Report is based on more than 175 conversations with and 500 surveys of Kansans ages 21-39. Many of the findings apply to all rural Kansans—attorneys included.
- Dr. Brad J. White, Professor and Production Medicine Director for the Beef Cattle Institute at the College of Veterinary Medicine, Kansas State University. Dr. White shared information about the Veterinary Training Program for Rural Kansas at Kansas State University and the Legislature’s role in creating and maintaining this program.
- Dr. Jennifer Bacani McKenney, Associate Dean of Rural Medicine Education at the University of Kansas School of Medicine. Dr. McKenney shared information about recruitment and retention programs for doctors within Kansas and discussed the Legislature’s role in creating and maintaining these programs.
- Greg Sattizahn, South Dakota State Court Administrator, who shared an

overview of the South Dakota Rural Attorney Recruitment Program. The program stands out as a state-wide model for recruiting attorneys into rural communities.

The subcommittees and individual committee members also spoke to experts across the country to better understand prevailing trends and initiatives designed to address attorney shortages.

On top of studying existing rural recruitment programs, the Committee also generated original data. The Data Collection and Information Gathering subcommittee developed a comprehensive survey of rural Kansas attorneys (Survey).¹ In the summer of 2023, the subcommittee completed the Survey and sent it to all active attorneys living outside of Douglas, Johnson, Sedgwick, Shawnee, and Wyandotte Counties. The Kansas Bar Association, local bar associations, and individual committee members heavily promoted the Survey.

The Survey was sent to 1,575 attorneys; 520 attorneys from 91 of our 100 rural counties responded. They provided information about their practice, educational debt, benefits and challenges of living and working in rural Kansas, and much more. The information gathered through the Survey is crucial to understanding the current landscape of legal practice in rural Kansas.

After the Survey data was collected, the Committee traveled to three rural Kansas cities to meet with local stakeholders.

In August 2023, the Committee traveled to Great Bend and met with local residents to discuss the impact of attorney shortages in their community. At the meeting, the Committee heard from a panel of attorneys, judges, and a local legislator from the area. These panel members included Rep. Tory Blew, Hon. Mike Keeley, ret., Hon. Carey Hipp, Remington Dalke, Mark Calcara, Taylor Calcara, and Rob Bauer.

Then in November 2023, the Committee also traveled to Dodge City to hear from a panel of newer attorneys and one of our newer district court judges about their experiences living and practicing in rural Kansas. Panelists included Hon. Andrew Stein, Paige Bangerter Gillmore, Hannah L. Brass, Aaron Cunningham, Pablo Mose, and Sunny Schroeder. And in December 2023, Chief Judge Bolton Fleming invited the Committee to Pittsburg for a meeting of the Crawford County Bar Association. At that meeting, local bar members and students discussed the impact of attorney shortages in southeast Kansas.

These listening sessions provided invaluable insight about the causes of the attorney shortage and the benefits of rural practice. The information also corroborated key findings from the Survey, which are discussed throughout this report.

The Data Collection and Information Gathering subcommittee also surveyed and conducted focus groups with law students at both the University of Kansas School of Law (KU Law) and Washburn University School of Law (Washburn Law) to better understand their perspectives about rural practice. The law student survey was sent to all students at both schools.² The response rate at KU Law was 22%, and at Washburn Law, the response rate was 15%. A total of 66% of the responses were from KU Law and 34% were from Washburn Law.

For the KU Law focus groups, we were fortunate to have help from Anne Marie Yatsula, a 2L. While Anne Marie is a native Floridian, she developed a passion for the work of the Committee. She helped develop the focus group questions, lead the focus group discussions at KU Law, and prepare summaries for the Committee. These focus groups facilitated honest feedback—particularly at KU Law where the group was peer led.

While these important efforts were ongoing, Committee members worked with key collaborative partners to analyze the Kansas attorney-registration data. The Kansas Board of

Indigents' Defense Services, Southern Methodist University's (SMU) Deason Criminal Justice Reform Center at SMU Dedman School of Law (Deason Center), the Office of Judicial Administration for the Kansas Supreme Court, and the University of Kansas Center for Research, Inc. (KU Research) entered a Memorandum of Understanding to collaborate on data analysis about lawyer scarcity throughout the state of Kansas. KU Research developed geospatial analyses and data visualizations under the Deason Center's direction. Malia Brink, Senior Policy Attorney at the Deason Center, and Xan Wedel, Senior Research Data Engineer at KU Research, shared a preview of the data visualizations with the Committee in April 2024. Those visualizations are included within this report.

While this work was ongoing, many other organizations called on our members to share information about the Committee's work. The June 2023 Kansas Bar Association Journal focused on rural attorneys and the Committee. Members have also presented on these important issues at conferences and organizational meetings. Those events include the:

- Kansas Legislative Policy Group;
- Kansas Victims' Rights Conference;
- Kansas CLE Provider Conference;
- Kansas Bar Association Annual Meeting;
- Southwest Kansas Bar Association Annual Meeting;
- Kansas Women Attorneys Association Annual Meeting;
- Southeast Kansas Bar Association;
- Midwest Summit;

- Clay Center Business and Professional Women Meeting;
- We Kan! Conference;
- Kansas Association of Defense Counsel Annual Conference;
- Kansas County & District Attorneys Association Annual Conference; and
- Kansas Chief Judges Annual Meeting.

Presenters used these opportunities to share the Committee's work, solicit feedback, and build collaborative relationships with other groups that have a vested interest in addressing the attorney shortage.

The findings and recommendations throughout this report are based on, and supported by, these collective research efforts.



Understanding the State of Rural Attorneys in Kansas

Justice K.J. Wall introduces panel speakers Judge Andrew Stein and Paige Bangert Gilmore at the Rural Justice Initiative Committee meeting in Dodge City.

Defining “Rural”

Before taking a deep dive into the data, it is important to clarify how the Committee defined “rural.” There is no uniformly accepted definition of that term. Federal and state agencies have adopted varying, and sometimes conflicting definitions, creating confusion as to what is considered rural and what is not.³ Because nearly all Kansas communities face an attorney shortage, the Committee chose not to be derailed by definitional debates.

Instead, it selected a definition of “rural” that the Kansas Supreme Court commonly uses, and that the Legislature has adopted in the healthcare field.⁴ **Rural Kansas includes all counties but Douglas, Johnson, Sedgwick, Shawnee, and Wyandotte.** This definition aligns with the reality of our state—Kansas is primarily rural and in dire need of more practicing attorneys.

Kansas Attorney Demographics

Kansas attorneys and judges report a shortage of attorneys across the state. When surveyed by the Committee, 83% of rural Kansas attorneys either strongly agreed or agreed that there are not enough lawyers in the county where they primarily practice to meet the legal needs of residents. When surveyed, 91% of Kansas District Court Chief Judges agreed that their judicial districts needed more attorneys.⁵ The Committee then asked the Chief Judges to rate attorneys’ ability to meet the needs within their judicial districts on a scale of 1-10. The average score was five.

Other data supports the views of these attorneys and judges. The United States Census estimated the Kansas population to be 2,940,546 in 2023.⁶

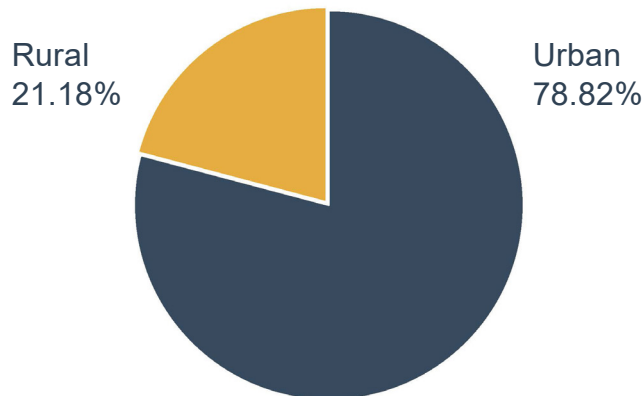
Kansas Population



Of that total population, 54.90% (1,614,286 people) live in the five urban counties; while 45.10% (1,326,260 people) live in the remaining 100 rural counties.

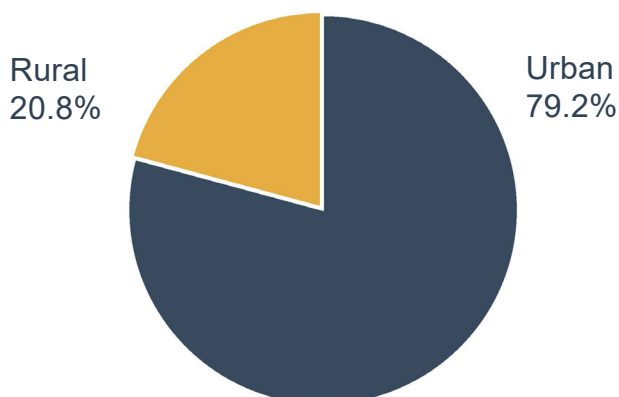
The distribution of attorneys across Kansas is disproportionate to the total population distribution.⁷ While there are 11,179 active Kansas attorneys, only 70.16% (7,843) of those active attorneys live in Kansas. Of those active attorneys residing in Kansas, 79.20% (6,212 individuals) live in urban counties while only 20.80% (1,631 individuals) live in rural counties. Even fewer active Kansas attorneys work in Kansas—61.88% (6,918 individuals). Additionally, 78.64% of active attorneys who work in Kansas (5,157 individuals) work in urban Kansas counties while only 21.36% (1,401 individual attorneys) work in rural Kansas counties.⁸

Active Attorneys Working in Kansas



The number of attorneys living and working in Kansas diverges with 695 more active attorneys living in Kansas than working in Kansas. We have a mobile workforce where an attorney may live in one location and practice in another. A prime example of this is Douglas County, geographically centered between our state capital of Topeka and the Kansas City metro area. While 642 attorneys report residing in Douglas County, only 311 report working in Douglas County. In addition to attorneys leaving the county in which they reside to work, Kansas attorneys also cross state lines to practice. Attorney registration data reveals that 20.89% (2,335) of all active Kansas attorneys work just over the border in Kansas City, Missouri. **More active Kansas attorneys work in Kansas City, Missouri than in all of rural Kansas.**

Active Attorneys Residing in Kansas



Comparing Kansas Attorney Data to National Data

The American Bar Association (ABA) estimates that there are 3.9 attorneys for every 1,000 residents in the United States.⁹ Kansas attorney registration data shows that we fall below the national average with 3.8 active attorneys per 1,000 residents. But only 2.67 active attorneys per 1,000 residents live in the state and even

fewer, 2.23 active attorneys per 1,000 residents, work in the state. In fact, only Douglas, Shawnee, and Johnson Counties exceed the national average based on the number of attorneys living there. And only Shawnee County exceeds the national average based on the number of attorneys working there. Even so, Topeka, our capital city and the county seat for Shawnee County, is one of the top 20 metropolitan areas where the demand for lawyers is the highest in the nation.¹⁰

Attorney Registration Statistics - Calendar Year End¹¹

	2016	2017	2018	2019	2020	2021	2022	2023
Active	11,242	11,193	11,135	11,094	10,982	11,084	11,091	11,179
Inactive	3,089	3,076	3,137	3,177	3,149	3,214	3,243	3,218
Retired	1,262	1,394	1,526	1,659	1,770	1,902	2,028	2,124
Disabled	81	80	86	82	81	74	75	75
Total	15,674	15,743	15,884	16,012	15,982	16,274	16,437	16,596

Note: 2020 total is less due to unusually high number of suspensions occurring during the pandemic.

Comparing National Average to Urban and Rural Kansas

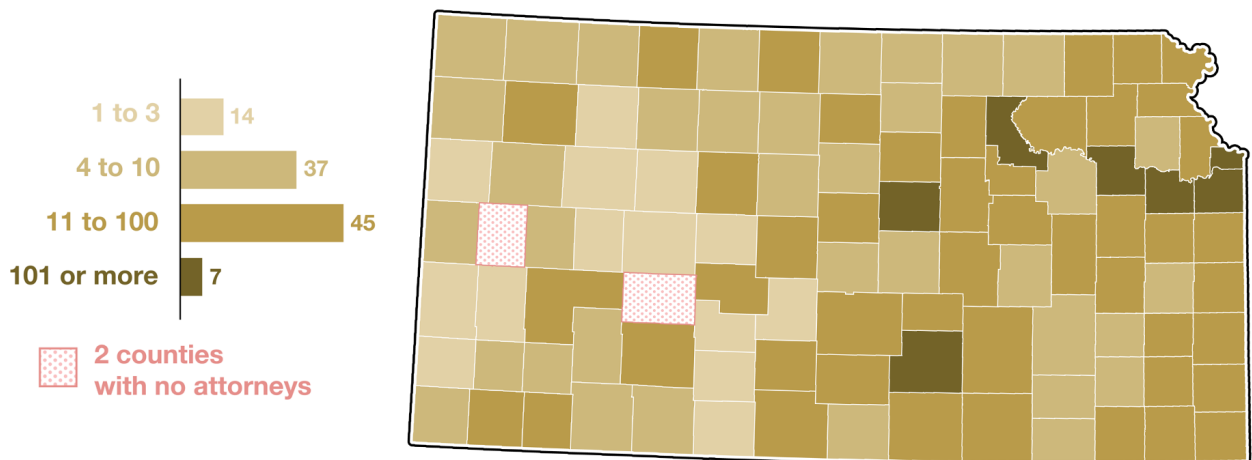
When you compare urban to rural Kansas, the discrepancies again are obvious. Kansas has 3.85 active attorneys per 1,000 residents living in the five urban Kansas counties and 3.19 active attorneys per 1,000 residents working in those counties. In contrast, only 1.06 active attorneys per 1,000 residents live and work in the 100 rural Kansas counties.

This figure, of course, is an average derived from all 100 rural Kansas counties. And this figure varies from county to county. But all rural Kansas counties fall below the national average of 3.9 attorneys for every 1,000 residents. In fact, in 99 of the 100 rural counties, there are 2.0 or fewer active attorneys per 1,000 residents living there. And in 98 of these counties, there are 2.0 or fewer active attorneys per 1,000 residents working there. In 39 rural counties, there are 1.0 or fewer active attorneys per 1,000 residents living there. And in 47 rural counties, there are 1.0 or fewer active attorneys per 1,000 residents working there. Two counties in Kansas have zero attorneys living or working there.¹²

Kansas already has an attorney shortage.¹³

16 Kansas counties have three or fewer attorneys;

53 counties have 10 or fewer.



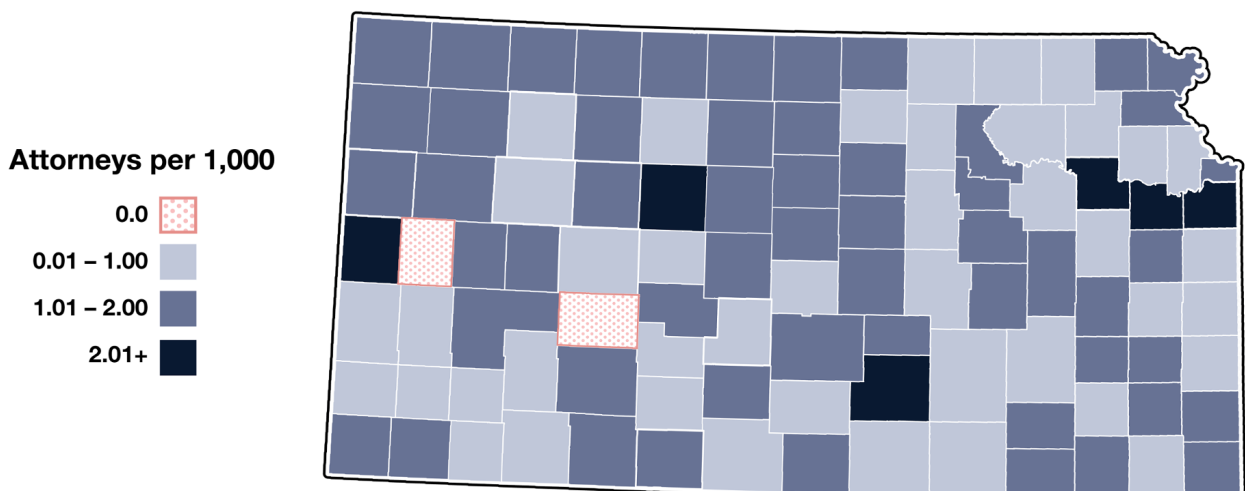
Number of attorneys by county (2023)

Source: Deason Criminal Justice Reform Center/KU Institute for Policy & Social Research

Unfortunately, this data understates the severity of the attorney shortage. The “active attorneys” data set includes many licensed attorneys who do not or cannot offer legal services to the community at large. The category includes judges, prosecutors, and other single-employer attorneys (such as corporate, nonprofit, and other government lawyers who work “in-house”). It also includes individuals who choose to maintain an active law license but work outside the legal field or no longer practice law. Thus, the active

attorney data does not paint a complete picture of the attorney shortage in rural Kansas. Regardless, this data shows that there is a near statewide attorney desert.

In 47 counties, the number of attorneys per 1,000 people is one or fewer. Two counties have no attorneys.¹⁴



Source: Deason Criminal Justice Reform Center/KU Institute for Policy & Social Research

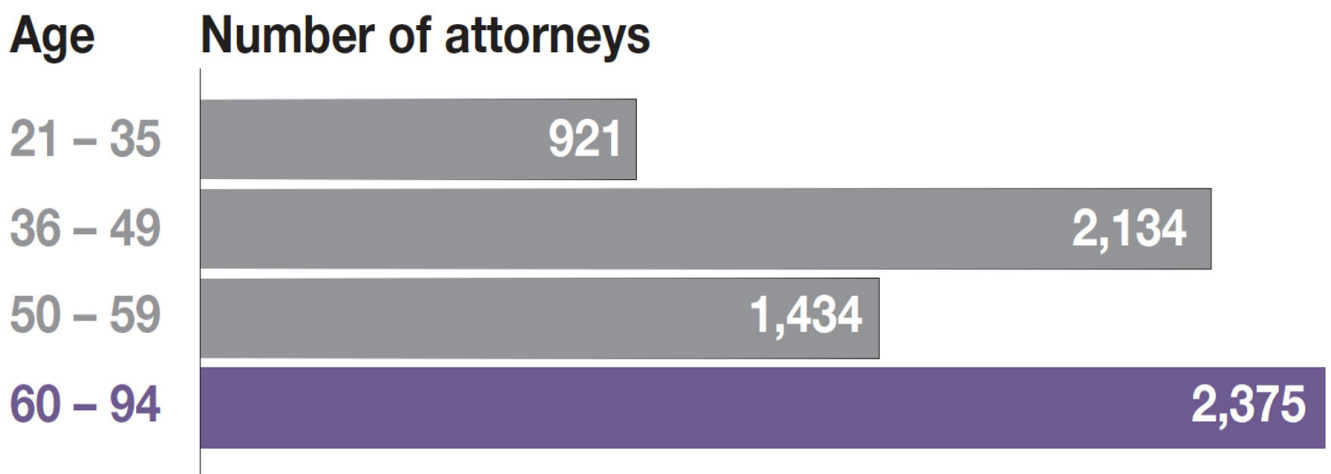
Aging Attorney Population

Over the last eight years, the total attorney population within the state has grown, but the active-attorney population has decreased. This trend is likely to worsen because the attorney population in Kansas, compared to national averages, is older and closer to retirement. This is especially true in rural Kansas.

In 2022, the median age for attorneys nationwide was 46 (and the median age of all workers was

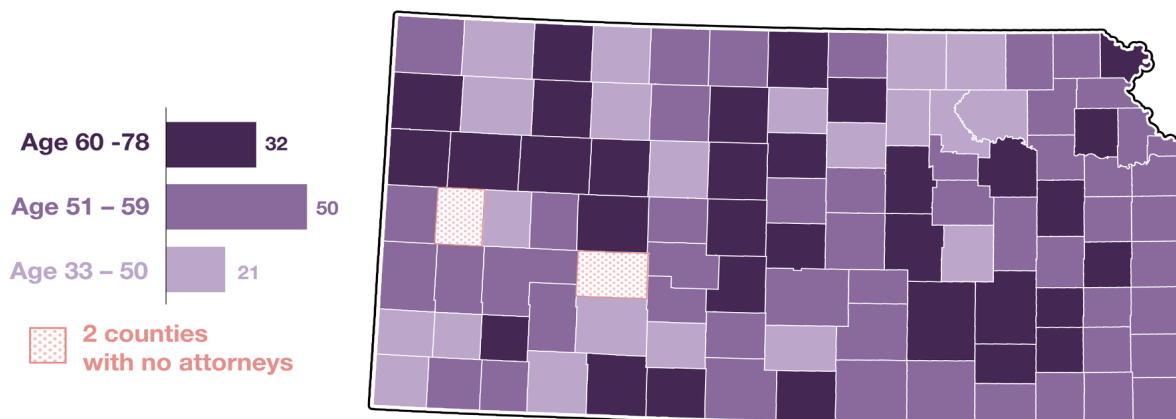
42.3).¹⁵ In Kansas, the median age of our active attorneys is 51. This means half of the active attorneys in the state are younger than 51 and half are older than 51. In urban Kansas, the median age of active attorneys is 51. But in rural Kansas, the median age is 55. This data suggests the active attorney population in Kansas will continue to decline as more attorneys move from active to inactive or retired status in the coming years. And rural Kansas will be hit the hardest.

About 1 in 3 Kansas attorneys are over the age of 60.¹⁶



Source: Deason Criminal Justice Reform Center/KU Institute for Policy & Social Research

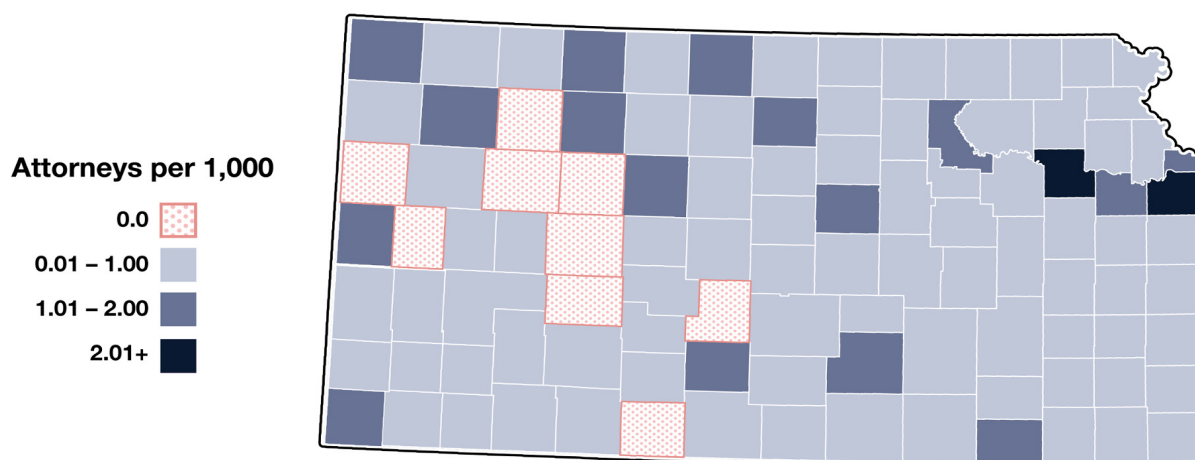
Nearly 1 in 3 counties have a median age over 60.¹⁷



Median age of attorneys (2023)

Source: Deason Criminal Justice Reform Center/KU Institute for Policy & Social Research

If you removed attorneys aged 60 and over, 87 counties would have one or fewer attorneys per 1,000 people.¹⁸
 Nine counties would have no attorneys



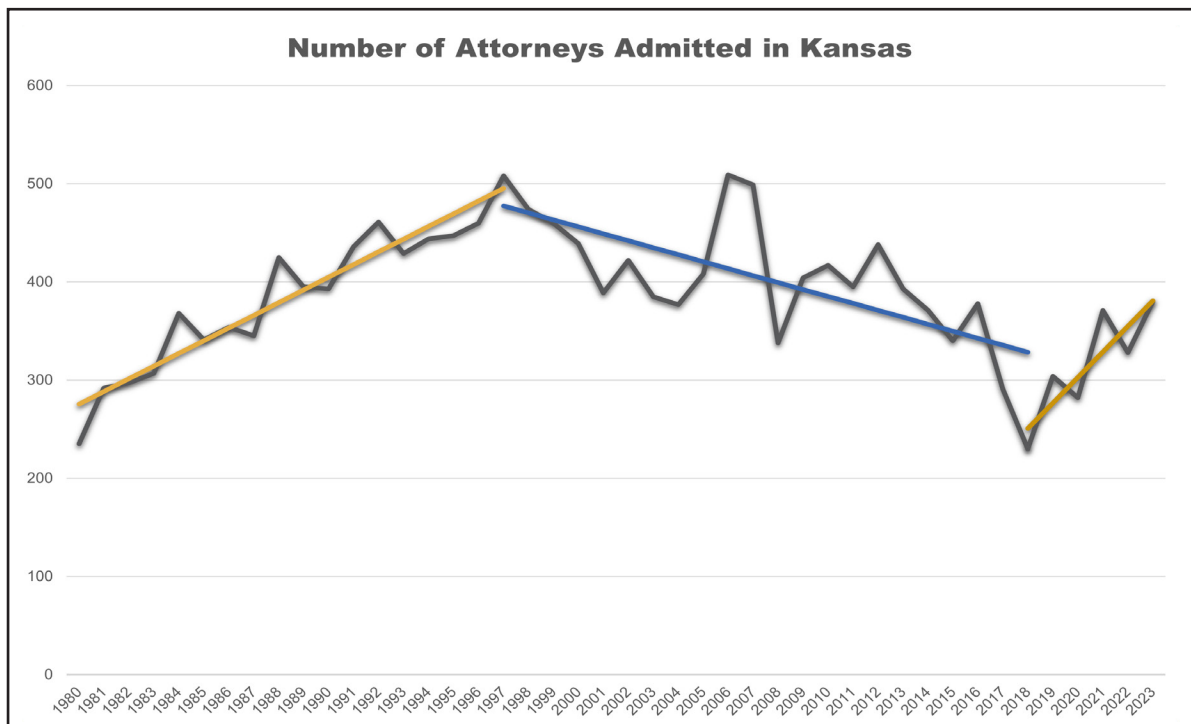
Source: Deason Criminal Justice Reform Center/KU Institute for Policy & Social Research

Attorney Admissions

New attorneys graduating from law school are not likely to fill the gap left by attorneys aging out of the profession. In Kansas, there have been wide variations in the number of attorneys admitted into the profession since 1980. In 2006, the number of new attorneys peaked at 509. That number fell to its lowest point in 2018 when only 230 new attorneys were admitted. In 2023, there were 380 new attorneys admitted in Kansas.

Nearly half of the new attorneys admitted in Kansas between 2018 and 2023 graduated from our in-state law schools—KU Law graduated 23% of new admittees, and Washburn Law graduated 21% of new attorneys.¹⁹ Thus, it is important to understand admission trends and projections at both law schools. The number of people applying to our in-state law schools since 2010 is declining at a rate of 16-21

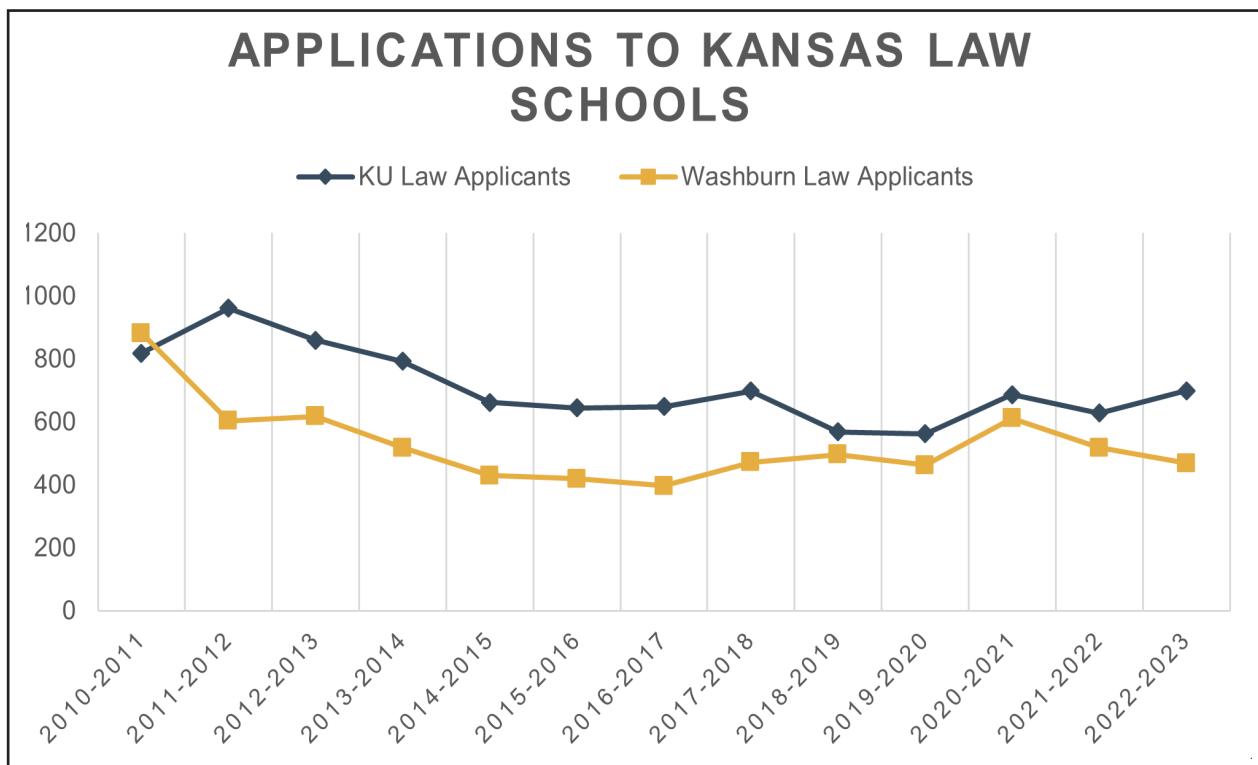
applicants per academic year. And the number of graduates during the same period has declined at a rate of 4-6 students annually. This reflects trends nationwide as law schools responded to recessionary pressures by reducing class sizes, faculty, and infrastructure. Law school applications peaked in 2004, when 100,601 people applied to ABA-accredited law schools. That number declined to 62,545 applicants in 2022.²⁰ Based on current projections, it is unlikely that the number of law school applications and law school graduates will return to the levels realized in 2004.



This data aligns with discussions the Committee had with undergraduate and law school administrators and faculty members. They reported that, compared to previous generations, fewer students now believe a law degree is attainable or economically feasible. Thus, fewer qualified individuals are pursuing the profession. And they opined that the attorney shortage cannot be addressed by simply increasing law school class sizes because the supply of qualified candidates cannot meet the demand.

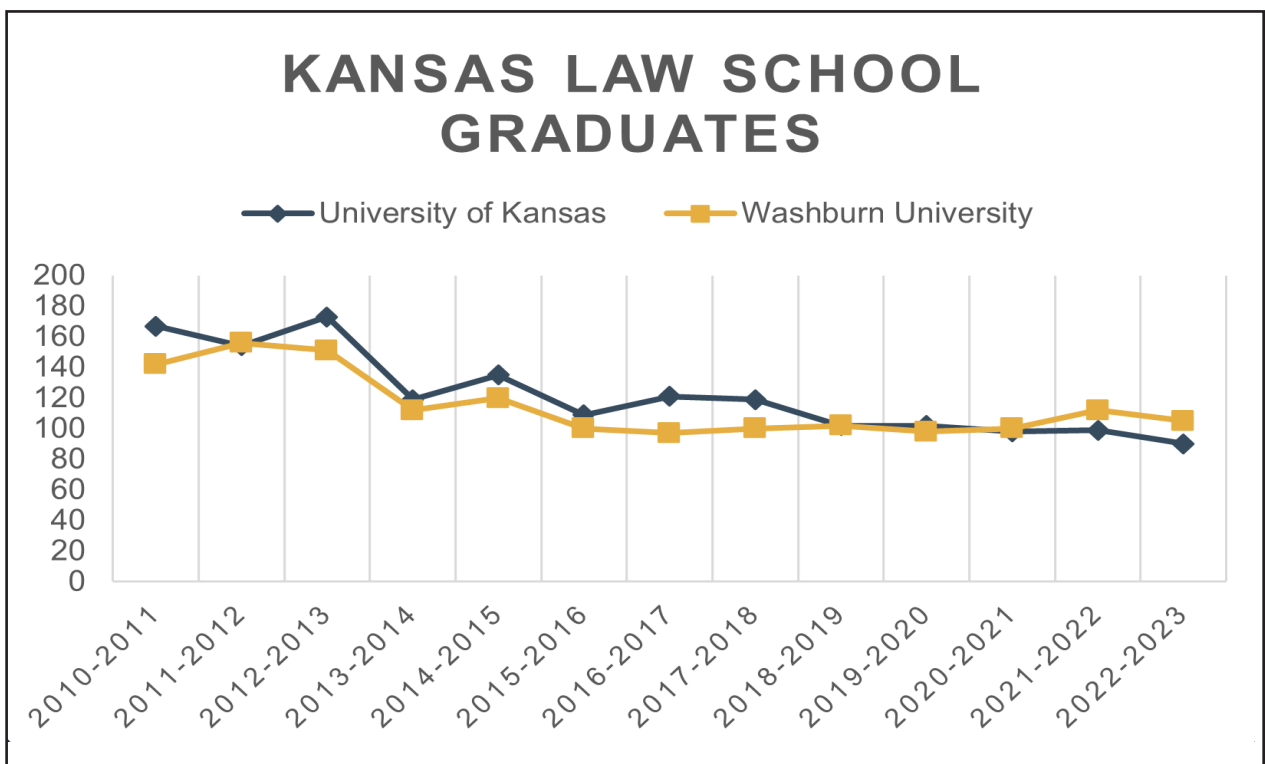
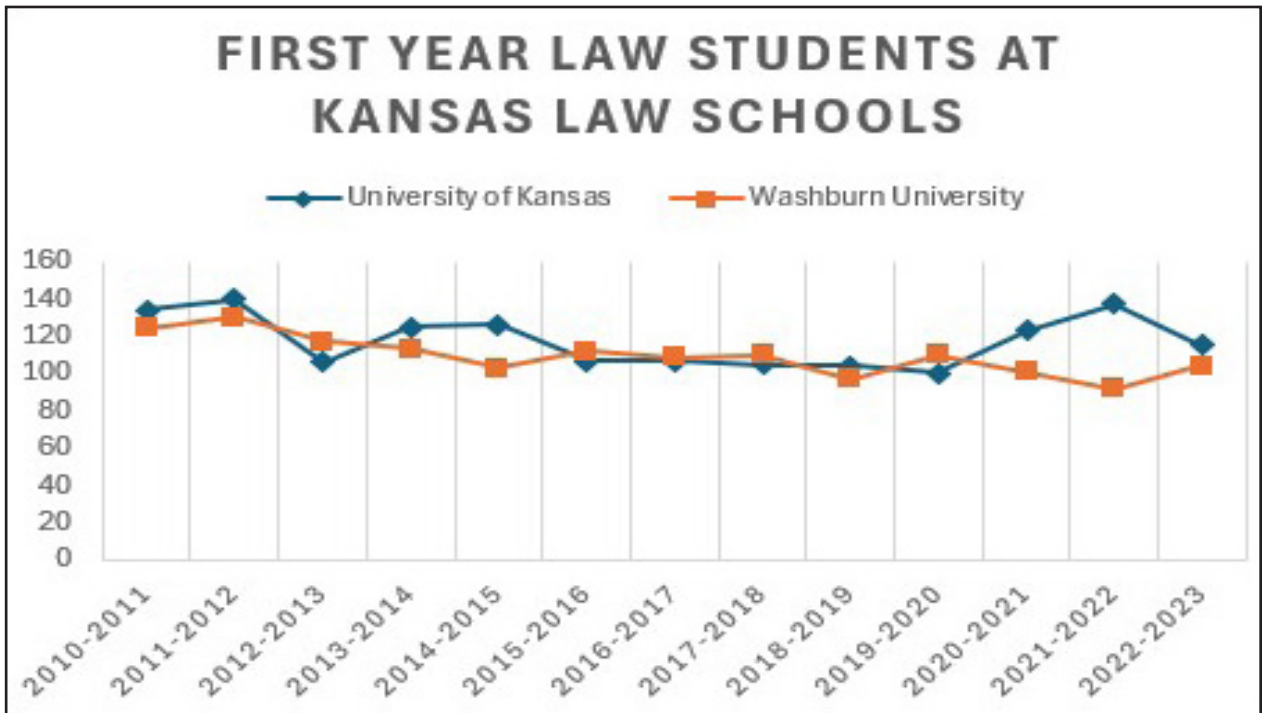
New Kansas attorneys who have graduated from other law schools come from all over the United States. Between 2018 and 2023, Kansas admitted graduates from 161 different law schools. But other than the University of Missouri at Kansas City, most out-of-state law schools contributed very few new attorneys to the state. The top ten law schools from which newly admitted Kansas attorneys have graduated are regional schools:

- The University of Kansas (23%);
- Washburn University (21%);
- The University of Missouri at Kansas City (18%);
- The University of Missouri (3%);
- The University of Oklahoma (2%);
- Saint Louis University (1%);
- Creighton University (1%);
- The University of Iowa (1%);
- The University of Arkansas (1%); and
- Oklahoma City University (1%).

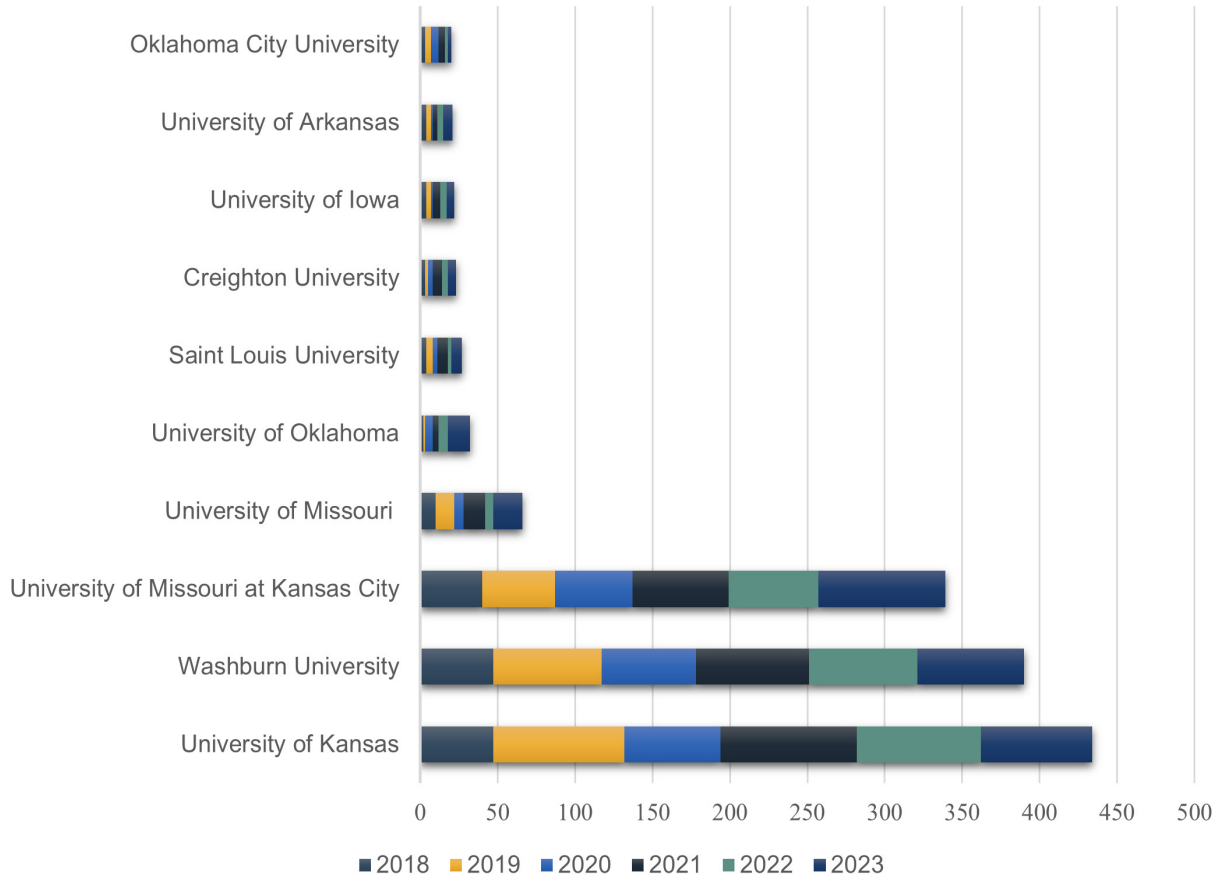


These statistics paint a bleak picture for the future of the Kansas bar. We are already facing attorney shortages throughout our state. We are on the verge of a constitutional crisis as individuals struggle to find attorneys to represent their legal interests and judges reach out to attorneys hundreds of miles away to represent indigent

clients. Many of the attorneys who are actively practicing will soon age out of practice, and we do not have enough new admittees or law students to meet the current needs of Kansans or to fill the gap that will be left by those retiring attorneys. Action must be taken now before this situation worsens.



Top 10 Law Schools for New Kansas Attorneys 2018-2022





Barriers to Practice in Rural Kansas

Photo of rural Kansas sunset near Fort Scott, KS. Photo courtesy of Jim Sechrist.

Before offering solutions, we must understand the nature and causes of the current problem. In other words, we must identify the conditions or circumstances creating barriers to recruiting and retaining attorneys in nonurban areas of our state. While challenges can be different for each individual and in each community, the Committee’s investigation identified three barriers to recruiting and retaining attorneys common throughout rural Kansas. These barriers can be separated into three categories:

Barriers

- (1) Financial
- (2) Practice
- (3) Cultural

Financial barriers for rural attorneys are multi-faceted. Student loan debt is higher than ever before—a challenge for many new attorneys no matter where they practice. But for new rural attorneys, the issue is made worse because starting compensation is typically less competitive (at least at first) or more dependent on uncertain production compared to urban markets. And while robust employer-sponsored benefit programs are commonplace in urban markets, the same cannot be said for legal employers in rural Kansas.

“Generally, in my experience rural areas have lower salaries and wages. Compared with the debt I have acquired in my legal education, it seems more difficult to pay down debt on a rural salary than urban salary.”

These factors place rural legal employers at a competitive disadvantage for recruiting and retaining attorneys. And for those rural attorneys who start a solo firm, student loan debt inflates debt-to-income ratios. Those ratios may produce less favorable financing terms or deter institutions from financing the venture altogether. And often, these attorneys incur start-up and regular business-related expenses long before their client base has been established.

There are also practice barriers that impede efforts to recruit and retain rural attorneys. Prospective candidates fear that rural practice will be professionally isolating. Mentorship and professional development are critical. When successful, such efforts not only improve attorneys' skills and proficiencies, but also instill in them a sense of professional belonging or inclusion.

The Committee's data suggests this factor is essential to recruiting and retention efforts. But when there are only a few attorneys in the community—some of whom may be opposing counsel in matters that the newer attorney is handling—professional mentorship opportunities can be quite limited. And currently, there is no program or person available to connect new attorneys to available mentors in rural markets. Nor is there any structured program or person committed to connecting people interested in rural practice with those communities in greatest need.

Moreover, there is often a disconnect between new graduates and rural law practices. Rural law practices are often ill-prepared to address mentorship, business management, and practice-transition issues in a deliberate, clear, and thoughtful manner. Without that planning and guidance, new attorneys often lack the legal and business acumen needed to thrive in a rural community.

Finally, several cultural barriers deter attorneys from practicing in rural Kansas. This category

may be the hardest to address for two reasons. First, it includes larger, socio-economic issues that transcend the legal profession and the realistic charge of this Committee. Those issues include access to childcare, housing, labor, healthcare, and reliable Wi-Fi in rural Kansas. Second, this category also includes stereotypes and false narratives about practicing law in nonurban markets. And it will take concerted effort to change these narratives.

In the following sections, we elaborate on each of the three barriers to recruiting and retaining attorneys in rural Kansas, along with the Committee's recommendations to address them.



Understanding Financial Barriers and Recommendations

Ellsworth County Courthouse, Ellsworth, KS. Photo courtesy of Leah Womelsdorf.

Education Debt

Most rural Kansas attorneys graduated law school with education debt—74% self-reported graduating law school with at least some student loan debt.²¹ Only 26% of rural Kansas attorneys who graduated before 1980 reported graduating law school with any education debt. In contrast, 93% of rural Kansas attorneys who have graduated since 2011 report graduating with student loan debt.

Certainly, the amount of educational debt has increased, as has undergraduate and law school costs and tuition. Rural Kansas attorneys graduating before 1980 reported an average of \$9,188 in law school debt and \$12,200 in total student loan debt. But those who graduated after 2011 reported an average law school debt of \$98,032 and total educational debt of \$124,614.

Nationally, a 2021 ABA survey found that approximately 90% of respondents used student loans to finance their legal or undergraduate education with an average amount owed at graduation around \$108,000 in law school loans and \$130,000 in all combined.²² The ABA reported this borrowing percentage to be an increase from 2015-16 when the U.S. Department of Education reported that 71% of law school graduates that year borrowed for law school with an average debt of \$125,000.²³

Impact of Education Debt

The impact of student loan debt cannot be overstated; it impacts both personal life and professional decisions. The 2021 ABA Young Lawyers Division Student Loan Survey reported that due to education debt, 51.8% of respondents postponed or decided not to buy a house, 39% of respondents postponed or decided not to have children, and 26.7% postponed or decided not to get married.²⁴

Importantly, roughly 80% of respondents indicated that student loan debt influences their choice of job or career in some way.²⁵ This makes sense. With the higher debt loads, attorneys seek higher paying jobs in urban markets right after law school, rather than taking jobs in rural areas where their pay may depend on production.²⁶

Salary Structure Offered to New Attorneys

48% Base Salary Only

43% Base Salary Plus Bonus

10% Earnings Only

Employment Rate and Earnings

There is no shortage of work for attorneys. Nationally, the employment rate for the class of 2022 was the highest since 1987 at 92.1%.²⁷ Kansas exceeded the national average. The employment rate for KU Law's class that year was 97.9%.²⁸ Washburn Law's was 92.9%.²⁹

National salaries were also at record highs for the class of 2022, with average law firm salaries at \$145,400 and average overall salaries for new attorneys at \$116,400.³⁰ In Kansas, the average law firm salary for the class of 2022 was \$78,864³¹ and average overall salary was \$73,003.³² But rural Kansas attorneys graduating after 2021 reported earning a median salary of \$60,000 and a mean salary of \$59,000. With rural Kansas attorneys earning far less than their urban Kansas counterparts and less than half the starting salaries offered at national law firms, it is no surprise to find attorney deserts across our largely rural state.

Lack of Benefits

In addition to lower earnings, rural Kansas attorneys incur more benefit-related expenses than their urban counterparts. This is because employers in nonurban markets are less likely to offer group employee benefits, including health insurance. And for solo firms, the costs of benefits fall entirely on the attorney. In contrast, legal employers in Kansas' urban markets commonly offer such employer sponsored benefits.

The table below identifies different categories of employee benefits and their availability to attorneys in rural Kansas.

Percentage of Firms Offering Employee Benefits	
Insurance	
Medical	50%
Dental	40%
Vision	30%
Life	27%
Prescription	26%
Paid Leave	
Sick	62%
Vacation	68%
Leave for the Birth or Adoption of a Child	30%
Financial Benefits	
Disability	16%
Financial and/or Retirement	49%
Education Assistance	6%
Student Loan Repayment	3%
Living Stipend	2%
Investment Opportunity	6%
Work/Life Benefits	
Wellness Program/Gym	10%
Remote Work Flexibility	28%
None of the Above	24%

Only 50% of rural law firms provide group health insurance benefits to their employees. Thus, rural attorneys must pay higher premiums for coverage. Or, if married, the attorney must rely on coverage offered by the spouse’s employer, if such benefits are available. Some go without coverage altogether. For those rural Kansas attorneys who do not receive health insurance through their employer, 33% rely on a spouse or family member to obtain health insurance, 55% purchase health insurance privately, 7% purchase health insurance through the public exchange, and 5% do not have health insurance. The additional costs of health insurance and other benefits place rural legal employers at a competitive disadvantage when recruiting and retaining legal professionals in nonurban markets. And those considering solo practice face similar benefit-related costs, plus other significant expenses associated with start-up, rent payments or debt service for office space, and malpractice insurance. These costs all add up and make a rural practice look less appealing for a new attorney.

The combination of high education costs and associated debt loads, lower salaries, and higher expenses for employee benefits for rural attorneys demonstrates the need for financial incentives to encourage individuals to live and practice in rural Kansas. The financial risk is even more significant for solo practitioners. There is much uncertainty regarding how much money will be made, especially during the firm’s start-up. For most new graduates, this risk is too great. Financial incentive programs have proven to be successful in other states. And several local and regional financial-incentive programs in rural Kansas have also been effective. As a result, we offer the following recommendation:

Recommendation 1:

The Kansas Supreme Court should collaborate with the Kansas Legislature, the University of Kansas School of Law, and Washburn University School of Law to establish a rural-attorney training program. That program should create tuition-reimbursement incentives to encourage prospective attorneys to attend law school in Kansas and ultimately practice in rural Kansas.

We recommend the Legislature adopt a program like the Veterinary Training Program for Rural Kansas (VTPRK) and the Kansas Medical Student Loan (KMSL) program. The program would offer law students a loan to cover law school costs and tuition. That loan would then be forgiven over time, provided the attorney practices law on a full-time basis in rural Kansas. Program requirements would include: (1) completing all coursework required for a juris doctorate; (2) completing all required courses (including any required rural internship or mentorship requirements) in a curriculum designed to prepare students for rural practice; (3) passing the Kansas bar exam; and (4) actively practicing law on a full-time basis in a rural Kansas county within 90 days of passing the bar. If such requirements are fulfilled, we recommend that 1/3 of the participant's loan be forgiven for each year of full-time practice in rural Kansas.

Only 49.7% of employed Kansas law school graduates from the class of 2022 remained in the state.³³ We must identify measures to retain

more graduates from KU Law and Washburn Law in Kansas—more specifically in rural Kansas. Current law students at both KU Law and Washburn Law identified measures that would increase their likelihood of practicing in rural Kansas. The top four measures were all financial incentives: living stipends (71.79%); student loan repayment (60.68%); other financial incentives (57.26%); and tuition assistance (42.74%).

Losing Kansas Graduates

49.7%

Of Employed 2022 Kansas Law School Graduates Stayed in Kansas

Other professions have used these types of programs to promote rural practice. Kansas physicians and veterinarians have developed financial incentive programs with the support and funding of the Kansas Legislature. There is a great deal that we can learn from their efforts.

For example, medical students in Kansas have long been able to take advantage of the KMSL program. The KMSL program started as a legislative initiative in 1976 but has undergone several changes since that time.³⁴ It creates a financial incentive to encourage participating students to practice medicine in rural Kansas.³⁵ Since 1992, 80% of participants that completed service through the KMSL program remain in Kansas practices.³⁶

Students eligible for KMSL receive an annual award or loan for tuition and living expenses throughout their four years of enrollment at University of Kansas Medical Center (KUMC). During the first two years, participants receive up to \$2,000 per month for nine months, the length of the award is increased to 10 months in the third

year, and 11 months in the fourth year.³⁷ The loan totals up to \$78,000 by the end of medical school.

But this loan is forgiven over time, provided that the recipient complies with program requirements. Recipients of the award must enter into an agreement with KUMC for their respective program and complete all required courses, secure their medical degree, and obtain their license to practice medicine in Kansas.³⁸ Program participants can choose to specialize in primary care, psychiatry, or obstetrics and gynecology.³⁹ Upon graduation, the participants then begin a residency applicable to their program, e.g., a primary care residency for the primary care program. Upon completion of the residency, the participant must then practice medicine in rural Kansas—anywhere other than Douglas, Johnson, Shawnee, Sedgwick, and Wyandotte Counties—for 12 months for each year they received the KMSL incentive.⁴⁰ In other words, the loan balance for one year of benefits is forgiven for each year the participant practices medicine in rural Kansas. If available, the loans can be awarded retroactively.⁴¹

Similarly, the VTPRK at Kansas State University (K-State) provides further evidence that the Kansas Legislature can develop and support financial incentive programs to promote professional practice in rural Kansas. VTPRK, which the Kansas Legislature created in 2006, offers financial incentives to veterinary students in exchange for their commitment to practice in rural Kansas after completion of their DVM at K-State.⁴² From the start of the program to the 2021-2022 school year, 80 students were admitted to the program.⁴³ An astonishing 98% of the program graduates have completed or are completing their obligation to practice in rural Kansas for four years after graduation.⁴⁴ For participants who have completed their four-year-service obligation, 94% continue to practice in a qualifying rural Kansas county.⁴⁵

Given the program's success, the Legislature expanded it in 2022. The program increased from accommodating five students per year

to seven students per year. The students are selected annually during their first year in the DVM program. Program participants receive a loan of \$25,000 per year for each of the four years of veterinary school.⁴⁶ During school, the students complete a specialized curriculum designed to better prepare them for large-animal, rural practice.⁴⁷ After graduation, the program participants receive one year of loan forgiveness for each year of full-time employment in a qualifying Kansas veterinary practice. A qualifying practice includes any veterinary practice in a Kansas county with a population of 40,000 or less, or any other veterinary practice in which 50% or more of the practice is devoted to food animal patients.⁴⁸

An advisory committee administers the program. That committee includes two representatives from the Kansas Veterinary Medical Association, including a member of the association's executive committee, and one member who has received a scholarship under the program; the animal health commissioner; two members appointed by the Kansas Department of Agriculture; and two representatives from the college.⁴⁹

Both KMSL and VTPRK have proven to be successful models for rural Kansas. And there are essential components of both legislative initiatives that can be adapted to the legal profession. But a similar legislative initiative for rural attorneys must account for differences in our profession in at least two respects.

First, while there is only one medical school and one veterinary school in Kansas, we have two law schools in our state. The Legislature can ensure both law schools actively participate in the program through an Advisory Committee like VTPRK's. The Rural Justice Advisory Committee (Advisory Committee) members should include:

- three Kansas licensed attorneys who actively practice law and reside in rural Kansas;

- two other members from rural Kansas;
- one representative from Washburn University School of Law; and
- one representative from the University of Kansas School of Law.

The Committee also recommends that the Advisory Committee be staffed by the Office of Judicial Administration.

Second, the financial incentive should be modified to reflect the term of law school, which differs from medical and veterinary school. We recommend the attorney training program should offer participants a loan of up to \$30,000 per year for up to three years for law school tuition and related expenses. Like the KMSL and VTPRK programs, these loans should be forgiven provided that the participant successfully completes all program requirements. The Legislature or Advisory Committee can establish the program requirements in detail.

Our proposed model captures the elements essential to the success of the KMSL and VTPRK programs. Besides completing traditional educational requirements, the program would help prepare students for the reality of a rural practice and offer more exposure to rural practice. Further, by recognizing important distinctions between the legal and medical/veterinary professions, attorneys should be able to emulate the success of these programs. Thus, the Committee recommends that the Kansas Supreme Court support and enable the Office of Judicial Administration to further a legislative initiative creating a rural-attorney training program for students at both Kansas law schools. Proposed draft legislation for this initiative is included in Attachment 4.

But given the magnitude of the attorney shortage in rural Kansas, the problem cannot be solved by recruiting only new graduates of our in-state law schools. We must also identify strategies to attract

out-of-state law school graduates and attorneys currently practicing law in urban Kansas markets or out-of-state. We therefore offer our second recommendation:

Recommendation 2:

The Kansas Supreme Court should work in conjunction with the Kansas legislative and executive branches to establish a student loan repayment program for attorneys living and practicing in rural Kansas.

The Committee also recommends the Kansas Supreme Court enable the Office of Judicial Administration to collaborate with the Advisory Committee administering the rural-attorney training program (see Recommendation 1) to develop and maintain a Kansas rural-attorney loan-repayment program. Other loan-repayment programs have successfully attracted qualified candidates to practice in rural markets. Like those initiatives, our program would provide a financial incentive to reduce student loan debt in exchange for a commitment to practice law in rural Kansas. And by using the same Advisory Committee for the attorney-training and loan-repayment programs, the Advisory Committee will be better positioned to track data and trends related to attorney deserts throughout the state and the effectiveness of both programs working together. Before offering our recommended eligibility requirements for such a loan-repayment program, this report reviews models from other states and from federal-state initiatives.

Models from Other States

South Dakota created the Rural Attorney Recruitment Program in 2013 to provide a financial incentive to attorneys practicing in rural communities.⁵⁰ The program requires the cooperation of individual attorneys, the South Dakota Unified Judicial System and State Bar (UJS), and a local government.⁵¹ Under that program, participating attorneys receive a financial incentive payment of \$12,711.60 annually for up to five years—a total incentive of \$63,558 over the life of the program. The UJS pays 65% of the annual contract benefit, which is \$8,331.84 per year for up to five years. UJS also provides programming, forms, and other resources to support the participating attorney’s rural practice.⁵² The local governmental authority pays 35% of the annual contract benefit, which is \$4,379.76 per year for up to five years. The local authority may also offer the attorney additional incentives such as office space or housing.⁵³

In exchange, the attorney must reside in and practice law for at least 35 hours per week for five years in a qualifying local government area.⁵⁴ The South Dakota Legislature defined a qualifying government area to be a county with a population of 10,000 or less or a municipality with a population of 3,500 or less, so long as that county or municipality agrees to pay their portion of the incentive payment and is found qualified by the UJS.⁵⁵ The UJS considers the following factors in selecting counties and municipalities:

- demographics, age, and number of attorneys in the local bar;
- recommendation of the presiding circuit judge;
- local economic development programs;

- geographical location compared to others receiving assistance;
- evaluation of the attorney seeking assistance;
- existing or prior ties of the applicant to the area; and
- any previous participation by the county or municipality in the program.⁵⁶

If selected, attorneys must attend at least one hour of continuing legal education specific to rural practice each year, accept one pro bono case per year, maintain malpractice insurance, and remain in good standing with licensing and disciplinary authorities.⁵⁷

As of 2023, there were 12 attorneys participating in the program and 15 attorneys who had completed it.⁵⁸ Of the 15 attorneys who had completed the five-year program, 12 continued to practice law in their rural community.⁵⁹ Since the program’s initiation, eight participants terminated their contracts early due to other career opportunities, failure to secure or maintain licensure, or a poor fit with the community.⁶⁰ Observing their neighbor’s success, the state of North Dakota replicated the South Dakota program in 2021 with the passage of Administrative Rule 62, which the North Dakota Legislature authorized under N.D.C.C. ch. 27-02.2. There are currently seven eligible attorneys enrolled in the North Dakota program.⁶¹

Models Patterned After Federal-State Initiatives

Federal and state authorities have collaborated to create similar financial incentives for health care professionals. The Kansas Department of Health and Environment (KDHE) administers the Kansas State Loan Repayment Program

(SLRP) in conjunction with the National Health Service Corps (NHSC). The purpose of SLRP is to recruit and retain medical, nursing, dental, and behavioral/mental health care professionals to federally designated Health Professional Shortage Areas (HPSAs).⁶²

The SLRP offers eligible health care professionals funds designated for student loan repayment in exchange for a minimum of two years of service at an eligible practice site. An eligible health care professional may receive up to \$25,000 annually to repay eligible education debt during the two-year term of the SLRP contract.⁶³ At the end of the initial two-year term, the health care professional may apply to extend the contract for a one-year term for up to three additional years.⁶⁴ The contract requirements and benefits remain the same during these additional terms.

All 50 states, plus the District of Columbia, Guam, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the U.S. Virgin Islands, American Samoa, the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau are eligible to participate in the SLRP program.⁶⁵ More than 18,000 primary care medical, dental, and behavior health providers receive scholarships and loan repayment assistance through NHSC.⁶⁶ In Kansas, 75 providers received NHSC loan repayment program funds in fiscal year 2023.⁶⁷

A 2016 national study found that 78.6% of NHSC participants were still serving HPSAs more than one year after their service obligation had expired.⁶⁸ And five years after completing their service obligations, 27.1% were still practicing at the same HPSA, while 69.6% were practicing at a different HPSA site.⁶⁹ In Kansas, 344 individuals completed the NHSC program or related Nurse Corps program between fiscal year 2012 to fiscal year 2022. And 93% of those alumni currently work in a HPSA. Of this group, 96% continue to work in the same community they were originally placed.⁷⁰ Among those program participants placed in Kansas, 68% have served rural areas.⁷¹

Model from Kansas Farm Bureau

Governmental entities are not the only ones responding to the shortage of professionals in rural areas. The Kansas Farm Bureau Legal Foundation (KFBLF) was one of the first to recognize the significance of the attorney shortage in rural Kansas. In response, the KFBLF created the Rural Law Practice Grant in 2020. The grant provides \$16,500 to new attorneys who practice in rural Kansas. The KFBLF defines rural Kansas consistent with this report—any Kansas county other than the five most populous counties in our state (Johnson, Sedgwick, Shawnee, Wyandotte, and Douglas Counties).

The KFBLF Board may select up to three grant recipients per year. The recipient receives the grant in three equal installments of \$5,500. KFBLF pays the first \$5,500 installment after the recipient has passed the bar examination and started to practice law in rural Kansas. KFBLF pays the other two installments after the recipient has practiced law in rural Kansas for 12 and 24 months, respectively.

Since the program's inception, the KFBLF Board has selected nine recipients to receive the \$16,500 grant for practicing law in rural Kansas. The recipients graduated from four different law schools, and are, or will begin, practicing in eight different rural Kansas counties. To date, KFBLF has committed nearly \$150,000 to support the recipients in their rural practices.

Summary of Recommendation

We can learn a great deal and realize similar success by modeling these loan-repayment programs. And we believe that the eligibility requirements of a Kansas program can be patterned after the South Dakota Rural Attorney

Recruitment Program. Participants should be required to enter service contracts with a five-year term, committing them to serve the needs of a rural Kansas community throughout that period. Additional requirements, which the Advisory Committee can develop in more detail, should include:

- applying for the financial incentive by completing the application form developed by the Advisory Committee;
- completing a juris doctor degree from an accredited institution of higher education;
- maintaining an active license, in good standing, to practice law in the State of Kansas;
- residing within a rural Kansas county;
- practicing law on a full-time basis (at least 35 hours per week) in a rural Kansas county;
- maintaining legal malpractice insurance;
- attending at least one hour of continuing legal education programming relevant to rural attorneys or rural practice; and
- demonstrating that the applicant has outstanding student loan debt.

The Advisory Committee should have authority to establish the total amount of annual financial assistance available under the loan-repayment program to any qualifying attorney. But that amount should not exceed \$20,000 annually, for a total contract benefit of \$100,000 over the five-year term.

The Advisory Committee can establish and modify application requirements over time, as it is charged with monitoring current trends and issues relevant to the practice of law in rural Kansas. Similar to the KFBLF program, this program should attract applicants from a variety of law schools—beyond our in-state law schools—to help fill the deficit of attorneys in our state. We are already attracting attorneys from law schools located in Missouri, Oklahoma, Nebraska, Iowa, and Arkansas, but at lower rates than our in-state schools. The financial incentive should motivate more individuals from nearby states, who likely share similar cultures and practice ideas, to live and practice law in rural Kansas. The five-year requirement does require a significant commitment to a rural community. And during this time, the participant has the opportunity to develop meaningful ties to the community. The financial incentive can offset educational expenses at a time when income is at its lowest and the participant is building a rural practice.

By offsetting the student loan debt incurred to obtain a legal degree, the rural-attorney loan-repayment program outlined above would create a strong financial incentive for new attorneys to practice law in rural Kansas. The South Dakota Rural Attorney Recruitment Program, Kansas SLRP, and KFBLF programs have proven that this type of incentive can result in the placement of attorneys in rural markets.

And current law students in the focus groups reported that such a program would encourage them to seriously consider practicing in rural Kansas. Indeed, most of these students shared concerns about their ability to pay off law school debt:

“One of the biggest concerns is the speed at which I’ll be able to repay my student loans. Pay is lower in rural areas, so it will take me longer to pay the loans, meaning more interest and more money out of my pocket in the long run.”

“With student loans to repay, the need for some monetary incentive is high.”

“One of the primary barriers that I hear from classmates regarding rural practice is the financial aspect.”

“I also believe financial incentives to move to the area, even for a bit after graduation would be helpful (like how doctors can have loans forgiven after graduation for working in a rural community).”

The Committee’s first two recommendations directly target these concerns by offering these students and other attorneys a substantial financial incentive to practice in rural Kansas.



Understanding Practice Barriers and Recommendations

Rural Justice Initiative Committee Chair, Justice K.J. Wall speaks to the Committee in Topeka, KS.

The Committee found several practice-related barriers that inhibit recruitment and retention of rural attorneys. They include professional isolation, lack of business skills, administrative workload, staffing shortages, challenges and gaps in recruiting, and misperceptions about the availability and type of work.

Professional Isolation

The practice of law can create intrinsic barriers that prevent individuals from working in rural Kansas. Most rural attorneys are working in solo or small firms.⁷² Working alone can be isolating, and that isolation can be especially challenging in an adversarial system. One student noted,

“As a new attorney, no one wants to do solo practice. This is probably one of the primary concerns of law students coming out of law school. A common

counterargument to this is finding plenty of mentors, but this is a flawed argument. A mentor in a firm setting is vastly different than a mentor who runs a different practice than you. New attorneys need to be taught how to practice. There needs to be time invested in them.”

New rural attorneys and other law students share this concern. In the Survey, several attorneys shared that loneliness and isolation are the biggest challenge to practicing in rural Kansas. One rural attorney shared:

“You have to figure everything out yourself. It’s difficult to reach out to other attorneys, because they are on the other side of some case.”

The oppositional nature of the work coupled with the limited number of attorneys in rural Kansas can lead to professional isolation with little to no regular contact with other attorneys for purposes of mentorship or collegiality. The prospect of isolation can deter individuals from considering practice in a rural community. Surveyed law students shared that perception of legal practice in rural Kansas. They commented:

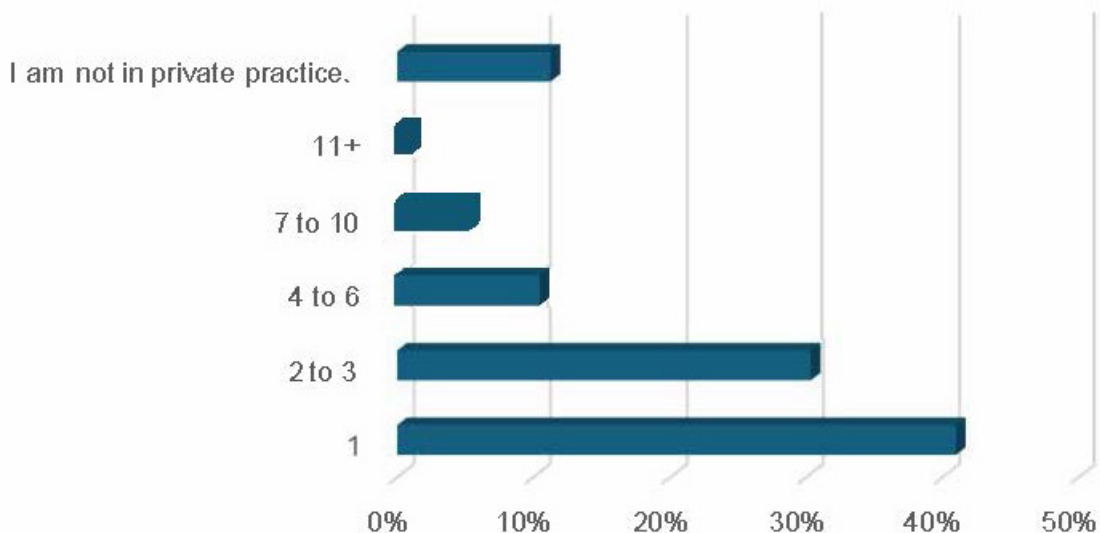
“It can feel difficult to become part of the legal community.”

The threat of isolation alone keeps many from considering rural practice in the first instance. And for those who do practice in rural Kansas, the professional isolation can drive some to more urban markets or out of the legal practice altogether. Moreover, loneliness and isolation have been proven to affect our health.⁷³

Lack of Business Skills

In rural Kansas, 71% of attorneys are working in firms of three or fewer attorneys. Thus, in addition to practicing law, new attorneys must possess the business skills and acumen necessary to operate a service-oriented small business. Law school curriculums do not typically emphasize the business side of law or prepare students for the challenges of managing a small business. Thus, the learning curve for a new attorney in rural Kansas is especially steep. Most law students are eager to start their legal practice. But the prospect of managing a business is not as universally appealing. In focus group discussions, law students expressed concerns about managing a business and the need to hone their entrepreneurial skills that were not well developed in law school.

Size of Law Firms and Law Offices in Rural Kansas



Administrative Workload and Staffing Shortages

Attorneys practicing in rural Kansas devote a significant amount of time to business, administrative, and other non-legal matters. These tasks do not generate revenue for the firm—the time is non-billable. The Committee’s survey documented the administrative workload that rural Kansas attorneys commonly encounter. Even seasoned rural Kansas attorneys spend substantial time on administrative matters and other managerial tasks.

The administrative burden on these attorneys is exacerbated by staffing shortages in rural Kansas. Generally, it is harder to recruit and retain office managers, secretaries, investigators, and other support personnel in rural areas of our state. In the Survey, 47% of rural Kansas attorneys reported having administrative support positions open in the last six months that they have been unable to fill. An additional 31% were unable to fill an open attorney position in the last six months.

Challenges and Gaps in the Recruitment Process

There is clearly a disconnect between prospective rural attorneys and rural law firms. Rural firms and rural attorneys looking for additional support could recruit qualified candidates from KU Law or Washburn Law. But students at both schools reported that firms from rural Kansas do not participate in on-campus interviews. And law students with an interest in rural practice said that they did not know how to connect with rural law firms or attorneys.

On the other hand, during the Committee’s listening tours, law firm partners from rural Kansas noted the significant time investment necessary to participate in the on-campus interviews—especially when required to travel to Lawrence or Topeka. They also felt that recruiting services at both law schools primarily served the needs of larger law firms in urban markets. And their past participation at on-campus interviews had proven to be wholly unsuccessful.

Hours per Week Spent on Non-Legal Tasks	Percent of Rural Kansas Attorneys
0 to 10	50%
11 to 20	38%
21 to 30	8%
31 to 40	2%
41+	2%

Misperceptions About the Availability and Type of Work

Because law students are not being exposed to rural attorneys, they have many misperceptions about rural law practice. One common misperception is that there is a lack of legal work available in rural Kansas. One student shared:

“It’s hard to defend a dying industry and I fear I would get wiped out early on. There’s also not a whole lot of money out there.”

While this fear is not uncommon, it is unfounded and inaccurate. There is a plethora of diverse, intellectually challenging, and profitable legal work available throughout rural Kansas.

First, there is an abundance of profitable legal work available in rural Kansas. Most rural attorneys, 57%, turn away clients 1 to 5 times per week, and 24% of rural attorneys turn away clients 6 to 10 times per week. These attorneys identified three primary reasons for doing so: (1) the matter is not within the attorney’s area of expertise; (2) the attorney lacks time to handle the matter; and (3) the attorney has a conflict of interest. Contrary to the perception held by many law students, the demand for legal services exceeds the current supply of attorneys in rural Kansas.

Second, rural Kansas attorneys are engaged in a wide variety of practice areas and specialties. The Survey asked rural attorneys to identify the types of law they practice. Their answers show that rural Kansas offers attorneys the opportunity to engage in diverse areas of practice.

Throughout rural Kansas, one can find firms and attorneys that represent sophisticated organizations and handle significant legal matters. These range from complex tort litigation and

Area of Law	Percent of Attorneys
Administrative	12%
Bankruptcy	4%
Business	43%
Civil Litigation	43%
Criminal	55%
Education	9%
Elder	25%
Estate Planning	54%
Employment	12%
Environmental	3%
Family	44%
Government	26%
Health	5%
Immigration	1%
In-House Counsel	6%
Intellectual Property	1%
Oil & Gas	18%
Personal Injury	15%
Real Estate	48%
Tax	8%

class-action lawsuits to nation-wide patent practice and complex transactions in the energy and agricultural sectors. There is certainly a desperate need for attorneys who can handle estate-planning, family-law, and criminal-defense matters in rural Kansas. But a rural Kansas practice also allows attorneys to grow and develop practice areas that best match their skills and interests over time.

And newer attorneys in rural Kansas have more opportunities for practical, hands-on experience earlier in their careers compared to their urban counterparts in larger firms. While it may take years for an attorney in a large, urban firm to consistently appear in court and interact directly with clients, such experiences are nearly immediate and commonplace for rural attorneys.

Despite the abundance and diversity of work and the opportunity for practical experience in rural Kansas, the attorney shortage continues. The fear of professional isolation, inexperience in business management, inadequate recruiting networks, and misperceptions about the type of and demand for legal work persists. Our data shows that these factors create significant barriers to recruiting and retaining attorneys in rural Kansas. These issues and barriers demonstrate the need for an organization dedicated to serving the needs of rural Kansas attorneys—an organization committed to addressing existing barriers and facilitating connections among and between our Kansas law schools, current law students, other active attorneys amenable to rural practice, and rural law firms and organizations looking to hire attorneys. We therefore offer our third recommendation:

Recommendation 3:

The Kansas Supreme Court should support efforts to develop a professional organization for rural attorneys to collaborate on issues relating to the recruitment and retention of attorneys in rural Kansas.

The best advocates for rural attorneys are rural attorneys themselves. Following the creation of the Rural Justice Initiative Committee, several Committee members and stakeholders worked vigorously to develop plans for such an organization, including its mission, structure, staffing, and essential operations. These efforts created strong momentum toward a membership organization of Kansas rural attorneys. In fact, the creation of this organization is underway at Washburn Law. While housed at Washburn Law, it will serve all law students and rural attorneys no matter where they attend or graduate law school.

The organization will be led by representatives from each region of the state, who will serve on an executive committee. The Patterson Family Foundation has provided funding for a full-time staff person to fulfill the direction of the executive committee. The funding from the Patterson Family Foundation and supervision from Washburn Law will provide administrative structure and support that is desperately needed. While rural attorneys are their own best advocates, they need continued support to advance this important work. This organization plans to:

- serve as a liaison between rural firms and organizations seeking to hire attorneys or to transition their legal practice and law students or other attorneys who express interest in such positions and opportunities;
- educate rural attorneys on best practices such as recruiting in pairs; assisting interns and new associates with locating housing, childcare, and other basic necessities; collaborating with other local businesses to offer an incentive package to interns and new associates; and other innovative recruiting strategies;

- create a central repository for posting lawyer positions in rural areas and direct retention efforts for rural attorneys;
- connect new lawyers with resources pertinent to legal practice. This may include form development, mentorship programs and opportunities, and providing business management tools;
- plan and, over time, develop educational-pipeline programs to encourage legal education and practice;
- assist rural law firms and organizations with their efforts to recruit qualified attorneys, succession planning, and guidance for transitioning a law practice to another attorney;
- provide continuing legal education to rural attorneys at an annual conference focused on these practitioners; and
- advocate on behalf of rural Kansas attorneys.

We recommend that, when appropriate, the Kansas Supreme Court assist this organization’s mission as it moves forward. Both the Supreme Court and the rural attorney organization share the goal of eliminating attorney deserts and improving access to justice in rural Kansas. Thus, when there are appropriate opportunities to further these goals collaboratively, the Supreme Court should do so. Such support may include encouraging other rural judges to support the initiatives and goals of the organization. It could also include directing the Office of Judicial Administration to collaborate in the development of forms, resources, pipeline programs, or educational endeavors.

Although the Committee has made significant progress since its inception in December 2022, there is still a great deal of work to be done to

address the barriers to practice we have identified in this section. We therefore recommend that:

Recommendation 4:

The Rural Justice Initiative Committee should transition from an ad hoc committee to a standing committee. The standing committee can facilitate implementation of approved recommendations, monitor results, and continue to study trends and developments relevant to rural justice and attorney shortages in Kansas.

The creation of this standing advisory committee would demonstrate the Kansas Supreme Court’s commitment to rural justice. The work of this Committee has been important, but it is only getting started. While the Committee hopes that the Supreme Court will approve the recommendations in this report, those recommendations are not self-executing. A standing Rural Justice Advisory Committee is needed to facilitate implementation of approved recommendations and monitor their impact and results throughout rural Kansas.

There is also an ongoing need to study and report on emerging trends, new initiatives and programs, and other developments relevant to rural legal practice. The Committee did not make recommendations on many of the innovative programs and initiatives underway in other jurisdictions and within our own state. But it is important to monitor the outcomes of these programs and initiatives and to assess their

viability and scalability in Kansas. Examples of such initiatives that the Committee studied, but did not make formal recommendations on, include:

- *Legal-education and Admissions Reform*: The Conference of Chief Justices and the Conference of State Court Administrators established a working committee, CLEAR, to study legal-education and admissions reform in August 2023.⁷⁴ The Advisory Committee should consider whether any forthcoming recommendations from the CLEAR committee could impact the practice of law in rural Kansas.
- *NextGen Bar*: The Kansas Supreme Court announced in February 2024 that it will join the NextGen Bar Exam in July 2028.⁷⁵ The Committee discussed the impact of the NextGen Exam on rural practice but is not making any specific recommendations on this development. Even so, the Advisory Committee should continue to monitor attorney-admission requirements and rules leading up to and beyond 2028.
- *Rules Governing Kansas Legal Practice*: The Committee examined current Kansas Supreme Court Rules and their impact on rural practice. While it is not formally recommending any amendments to the rules now, the Advisory Committee should continue to examine this issue. In particular, the Advisory Committee should consider whether amendments to rules governing paid referrals between attorneys could facilitate collaboration between rural firms and larger urban or national law firms without creating undue administrative burden or compromising the ethical standards of practice in our state.
- *Technology and Remote Hearings*: The Committee extensively researched and discussed the use of digital assistants and virtual tools, including remote hearings, to improve access to justice in rural Kansas. Some members advocated for a rule mandating remote hearings in all rural Kansas courtrooms. Others argued that rural Kansas would be better served with more attorneys living and working in rural Kansas, and a mandatory rule detracts from that mission. The Advisory Committee should continue to assess best practices and the role of digital assistants and virtual tools in promoting justice in rural Kansas. And given the prevalence of remote hearings in most rural judicial districts, the Committee believes it is important to monitor and promote best practices in training judges and attorneys on the effective use of these tools.
- *Rules Governing Qualification of Public Defense Counsel*: The Kansas State Board of Indigents' Defense Services (BIDS) provides essential services for indigent defendants—fulfilling a defendant's right to counsel in felony cases when the defendant cannot afford an attorney. The Committee discussed the current process for qualifying public defenders for high-level felony defense cases. This area of focus emerged after the Committee received reports from Chief Judges in rural districts encountering difficulties finding qualified counsel for these appointments. This difficulty is caused, in part, by the fact that BIDS' resources and staffing are limited and there is a shortage of private attorneys who are either qualified or willing to accept these appointments. The Advisory Committee should

continue to examine the administrative regulations addressing public-attorney qualifications to participate in high-level BIDS cases. And it should determine whether rule amendments are needed to address the shortage of qualified defense counsel in high-level felony cases throughout rural Kansas while maintaining the highest standards of representation and protecting the right to qualified counsel.

- *Non-Attorney Licensure and Certification:* The Committee examined programs that certify non-attorneys to provide limited legal services. States like Washington, Arizona, and Colorado certify non-attorneys to assist litigants in certain case types with mixed results. Washington already determined it is necessary to sunset its program.⁷⁶ In Arizona, Legal Paraprofessionals can obtain court certification to provide services for family law, administrative law, limited-jurisdiction civil law, criminal law, and soon juvenile-dependency law and adoption. The Legal Paraprofessional's services are limited to drafting, signing, and filing legal documents; providing advice, opinions, or recommendations about possible legal rights, remedies, defenses, options or strategies; appearing before a court or tribunal; and negotiating on behalf of a client in matters falling within the scope of the non-attorney's certification or licensure.⁷⁷ And our neighbor to the west, Colorado, just adopted a Licensed Legal Professionals program for certain types of family-law cases.⁷⁸ It is important to monitor these and other legal-service delivery models and their role in addressing attorney shortages and access to justice in rural communities.

- *Mobile Legal Services:* Innovative programs exist throughout the United States that offer mobile legal assistance to the public.⁷⁹ In Kansas, the Mobile Workforce Centers developed by the Department of Commerce provide mobile services to communities that lack a permanent workforce center or face unusual demand for assistance due to mass layoffs, business closures, natural disasters, or demographic shifts.⁸⁰ The Mobile Workforce Centers can travel to any part of the state and provide computers, internet access, and appropriate staff members for job seekers.⁸¹ In other jurisdictions, programs are delivering legal services through a similar model, e.g., mobile justice tents and justice busses. The Advisory Committee should continue to monitor the results of these initiatives and consider whether this model should be adopted to meet the legal needs of residents of rural Kansas.
- *Court Appointments:* The Committee's survey confirmed that 63% of rural Kansas attorneys do not take court appointments. The top three reasons rural Kansas attorneys gave for not accepting appointments were conflicts, lack of experience, and insufficient pay for court-appointed work. While little can be done to decrease conflicts, the Advisory Committee should continue to explore ways to provide attorneys resources and experience necessary to accept appointments. The Advisory Committee should also identify funding or payment models that balance the State's legitimate budget considerations with a financial incentive that encourages more attorneys to take court appointments.

- *Legal Service Organizations:* Similarly, Kansas Legal Services, BIDS, and prosecutors throughout the state provide essential legal services—often to parties and victims who lack the resources to hire independent counsel. The Advisory Committee should continue to explore whether these services are adequately staffed and funded and whether access to justice can be improved by expanding services provided by these organizations.

- *Regional Law Firms:* While the Committee began exploring the idea of law firms developing satellite offices or remote-access stations in rural Kansas to increase access to legal services in rural communities, more study and development of this concept is needed to determine whether this is viable in Kansas.

- *Legal Education Trends:* The Committee researched and discussed various programs that offer nonconventional paths to legal education and licensure, including apprenticeship models, online legal-degree programs, and remote classroom environments. The Committee also explored the idea of a satellite law school campus in western Kansas or other rural locations. The University of Kansas School of Medicine provides a possible comparative model with its satellite campus in Salina, Kansas. Several Committee members advocated for a satellite law school campus in rural Kansas and believe that such a model could directly address the attorney shortage. Of course, this would be an enormous undertaking requiring extensive investigation and exploration beyond the scope and term of the ad hoc committee. It

would also require buy-in and support from Washburn Law or KU Law, the Legislature, and several other entities. Regardless, the Advisory Committee should continue to monitor the success and development of these program models and assess the feasibility of replicating them successfully to address the attorney shortage in rural Kansas.

More generally, other duties of the Advisory Committee could include:

- collecting information and data about unmet legal needs across rural Kansas, including considerations for rural counties with different population densities;
- studying pertinent statistical trends related to Kansas’ population and demographics, including those specific to attorneys and other professionals who support court and court-adjacent programs;
- examining programs and initiatives employed in other states to bolster the availability of attorney services in rural areas;
- examining existing rural attorney-recruitment projects in Kansas to make recommendations for supporting and expanding those projects;
- assessing judicial best practices that facilitate meeting legal needs across Kansas and identifying any impediments to implementing those best practices; and
- recommending any necessary changes in law, regulation, or rule to improve the availability of attorney services in rural Kansas.

As to the Advisory Committee’s structure, members should include rural attorneys and rural judges from across the state with first-hand knowledge of the legal practice in rural Kansas. Like this Committee, the Kansas Supreme Court should include other stakeholders with an interest in rural Kansas, including participants from the legislative and executive branches. It is also essential to include the University of Kansas School of Law, Washburn University School of Law, and undergraduate universities. The Office of Judicial Administration should staff the Advisory Committee. And a Supreme Court Justice should be assigned as a nonvoting chair or liaison to the committee.

The standing Advisory Committee will help ensure that the momentum created by the Rural Justice Initiative is not lost. And it would evidence the judicial branch’s long-term commitment to addressing the issue. But the Kansas Supreme Court can take further action to support those practicing in rural areas. We therefore make two additional recommendations designed to address practice barriers:

Recommendation 5:

The Kansas Supreme Court should direct the Office of Judicial Administration to consider the needs of rural jurisdictions in developing and executing projects and resources. The Office of Judicial Administration should dedicate staff to focus on rural-justice initiatives, develop comprehensive practice forms and other resources to aid rural attorneys in their practice, and assist other organizations committed to similar objectives.

To implement the recommendations in this report, the Kansas Supreme Court should dedicate staffing within the Office of Judicial Administration (OJA) to these initiatives. Additionally, existing projects and programs within OJA should remain mindful of rural practitioners and their unique needs. For example, in planning educational offerings for judges and other judicial branch employees, special consideration should be given to challenges faced in rural jurisdictions. Similarly, in implementing new technology statewide, the judicial branch should consider limitations or circumstances unique to our rural communities.

The Committee repeatedly heard from rural attorneys that they need comprehensive forms to aid their practice. One attorney commented, “I have just started my practice in rural Kansas. So far, the biggest challenge has been developing my firm’s systems to be efficient, and not having access to many forms or checklists to make sure that I have everything that I need before taking on a certain legal matter.” It is easy to see how the lack of a comprehensive form bank can contribute to feelings of professional isolation and the sentiment that rural attorneys are on their own. While the Judicial Council does offer various forms, it is not a comprehensive offering.⁸² Other states do have comprehensive form banks, which benefit attorneys and self-represented litigants alike.⁸³ All parties involved in the judicial system would benefit from a centralized, comprehensive form bank in our state.

Other practice resources for attorneys may include: support or mentoring programs; small business support; online business support; law-office management training; assistance for current attorneys preparing to retire and transition their practice to another attorney; support for attorneys learning to manage a law firm; resources for attorneys on appointment lists; and standards and policies for technology. The Court should avoid duplicating services offered through other entities in the state such as the professional organization being developed for rural attorneys. Dedicated

staff within OJA could help streamline resources and avoid duplication of efforts.

Recommendation 6:

The Kansas Supreme Court should collaborate with the Kansas Department of Commerce and its Office of Rural Prosperity to highlight resources available to help attorneys manage their businesses.

The Department of Commerce (Commerce) offers a wealth of resources and opportunities that often go unused by the legal community. Commerce is charged with economic development in Kansas and endeavors to help Kansans—whether individuals, businesses, or communities—achieve prosperity. Within Commerce, the Office of Rural Prosperity (ORP) is an advocate for rural Kansas and focuses on improving rural Kansas communities. Yet the legal community appears to be unaware of, and has underutilized, the resources ORP offers. The judicial branch should find opportunities to collaborate with Commerce and ORP to promote their programs to the legal community. Alternatively, it should encourage other legal organizations to do the same.

ORP oversees the Rural Opportunity Zone (ROZ) program, which offers benefits that many rural attorneys or prospective rural attorneys could use. Under ROZ, qualified participants can receive student loan repayment and/or a 100% state-income tax income credit in 95 designated counties.⁸⁴ Any individual with an associate's, bachelor's, or post-graduate degree may qualify for the ROZ student loan repayment program as long as they meet all eligibility requirements.

The individual must prove they have established a domicile in a participating ROZ county after the county joined the ROZ program and prove that they were a permanent resident elsewhere before earning their degree. The individual must also provide proof of their degree dates, student loan balance, and distribution dates. Eligible participants can receive up to \$15,000 for student loan repayments over five years.

Yet only 3% of ROZ participants are attorneys (49 total out of 1,663 participants). While the ROZ benefit is positive, attorney participants reported to the Committee that the annual benefit was not enough to make a real impact on the amount of education debt that they were carrying. One attorney reported that the ROZ student loan benefit did not cover the full carrying cost of the student loan (interest) and none of the ROZ payments reduced the principal balance of the loan. This highlights the need for an expanded loan-repayment program for attorneys (Recommendation 2).

The ROZ Income Tax Credit is administered by the Kansas Department of Revenue and provides a 100% credit for an individual's State of Kansas tax liability. An individual may claim the credit for up to five straight years after establishing their domicile in a rural opportunity zone, so long as they established their domicile on or after July 1, 2011, and before January 1, 2026, and were domiciled outside this state for five or more years before establishing their domicile in a Kansas rural opportunity zone. For those who relocated to a rural opportunity zone after January 1, 2019, they can claim the credit through the end of the 2026 tax year, when the program ends.

Rural attorneys may also benefit from the ORP's Historic Economic Asset Lifeline (HEAL) program, which provides matching grant funds to assist in the revitalization of underutilized, vacant, or dilapidated downtown buildings. The grants can be used to turn these buildings into productive spaces, including office space for law firms. Communities can apply on behalf of

business owners and receive a matching grant of up to \$100,000. Thus far, no attorney or firm has used HEAL to develop a law firm space. But the opportunity to reduce the cost of building or office space exists through this program.

The Department of Commerce offers other programs that may benefit or support attorneys in managing their business. For example, 47% of rural Kansas attorneys reported having a position that could not be filled within the last six months. Those attorneys could benefit from Commerce's Workforce Services or KansasWorks programs, which connect job seekers with employers.

By increasing the legal community's awareness of these Commerce programs, the Supreme Court can help to ease some of the practice barriers rural attorneys encounter. Now that we have addressed many of the practice barriers rural attorneys face, we turn to the cultural barriers that many prospective attorneys perceive.



Understanding Cultural Barriers and Recommendations

Rob Bauer, an attorney with Bauer, Pike, Bauer, Wary, Carroll, & Gunn LLC in Great Bend, KS, and Justice K.J. Wall, at a meeting of the Rural Justice Initiative Committee.

Fewer people are expressing an interest in practicing law compared to prior generations. And the Committee’s data documenting the attorney shortage makes clear that those interested in law are not choosing to practice in rural Kansas.

When we asked law students at KU Law and Washburn Law what prevents them from practicing law in rural Kansas, the most common answer given was “lack.” That is, lack of housing, lack of childcare, lack of healthcare, lack of amenities and leisure activities, lack of educational programming, lack of diversity, lack of upward mobility, lack of other professionals, lack of support, and so on.

The legal profession is not the only industry affected by this sentiment. The Kansas Sampler Foundation, at the request of the ORP, connected with 460 rural Kansans across the state to better understand current challenges and opportunities in rural Kansas. In their final report, they concluded that there is not a business

or government policy that will single-handedly revitalize our rural communities.⁸⁵ Instead, the future of rural Kansas depends on creating a culture that supports and builds the capacity of rural communities, and attorneys have an important role to play.⁸⁶

To attract and retain future attorneys, those currently practicing in rural Kansas must identify like-minded leaders in their community willing to collaborate on issues related to workforce development, quality-of-life offerings, childcare, education, healthcare, and housing. For example, 98% of rural counties cannot meet the childcare needs of parents with children ages birth to 6.⁸⁷ Access to childcare is a prominent concern for any attorney with a young family or new attorney contemplating a family. In fact, it’s a prominent concern for anyone considering a move to rural Kansas.

As advocates, attorneys are uniquely poised to use our skills to effect change and improvements. And when those efforts are combined with

the support of other like-minded leaders, rural communities have incredible capacity to address the needs of current and prospective residents.

In addition to concerns about the availability of vital services, there are other cultural myths and barriers that contribute to attorney deserts. Attorneys and law students regularly shared that there is a commonly held belief that “success” means leaving your hometown and practicing a trade in the big city. Law students also reported that they felt pressured to seek employment at firms in Wichita and Kansas City and were challenged or questioned when they expressed interest in rural opportunities. Even at Washburn Law, where all the participants were from rural communities, focus-group participants shared that people told them they were “too smart” to work in rural Kansas. These false narratives and views must be confronted in the face of our attorney shortage. We must value our rural communities and the contributions professionals make to them. And when someone chooses to live and work in a rural community, that choice should be viewed and celebrated as a triumph.⁸⁸

Some of these cultural barriers transcend the legal profession and the scope of the Committee’s charge. Even so, the Committee has included several recommendations to combat these cultural barriers and promote the practice of law in nonurban markets.

Recommendation 7:

The Kansas Supreme Court should support civics education programming and outreach efforts for K-12 students in rural Kansas.

Children start thinking about what they want to be when they grow up from an early age. It is essential to introduce them to legal careers early in their academic career. We recommend that the Kansas Supreme Court encourage judges’ and attorneys’ participation in existing outreach programs, continue those existing programs, and expand those efforts as detailed below. The Court should also ensure that these efforts are targeted toward or accessible to people located in nonurban markets.

Several organizations have started pipeline programs to inform students about the legal profession. The Kansas Women Attorneys Association recently developed curricula that can be shared in any K-12 classroom. Many other programs at the high school level also promote, or are well-suited to, the legal profession. These include Law Day and Constitution Day programs, Civics Day, Debate, Forensics, and Mock Trial. The Supreme Court should encourage judges and attorneys to support such programs in our rural communities. More than half of all law students (55%) first considered law school before entering college, with women being more likely to consider law school before high school than men.⁸⁹

Since 2011, the Kansas Supreme Court has traveled across the state to hear oral arguments and engage in community outreach. In both the fall and spring semesters, the Court schedules a “travel docket” in a local Kansas community. During the event, the Court holds oral arguments in the evening. During the day, the justices and local judges visit local high schools and colleges to discuss the legal profession and role of the judiciary. Thus far, the Court has visited the following locations: the historic Supreme Court courtroom in the Kansas Statehouse, Salina, Greensburg, Wichita, Overland Park, Pittsburg, Kansas City, Hays, Garden City, Topeka, Hiawatha, Hutchinson, Winfield, Emporia, Colby, Manhattan, Lawrence, El Dorado, Great Bend, Parsons, Concordia, Dodge City, and Lansing. During the court’s recent travel dockets in Concordia, Dodge City, and Great Bend, justices



Justice Dan Biles speaks with high school students at Dodge City High School before the Supreme Court held oral arguments as part of the Supreme Court on the Road on November 14, 2023.

spoke to an average of 1,100 students each visit. The Court should continue its travel docket events and itinerary. And the Committee recommends the Supreme Court focus on rural communities when selecting the location of the event to encourage students in those communities to explore the legal profession.

The Kansas Court of Appeals has long conducted outreach efforts in local schools and communities as it has traveled the state to hear oral arguments. In the 2023-2024 school year alone, the Court of Appeals sat in numerous rural communities and performed outreach in many others. Oral arguments were held across the state in Phillipsburg, Iola, Winfield, Arkansas City, Liberal, Abilene, and Manhattan. The Court of Appeals judges conducting those hearings also took the time to meet with students and community leaders while traveling to those communities. The Committee recommends that the Court of Appeals continue these efforts and focus on rural communities when selecting future locations.

Further, the Supreme Court should expand outreach efforts by targeting middle and elementary school students. One way to reach this target audience is through a learning center. Other states such as Colorado, Wyoming, Michigan, and Ohio have created judicial-branch learning centers. These centers deliver valuable civic information to students in a fun and engaging manner. One of the goals of these learning centers is to inspire the next generation of attorneys, judges, and legislators. In developing the learning center's programming, the Office of Judicial Administration should collaborate with the Kansas Department of Education to ensure that programming aligns with the learning objectives and curriculum requirements in Kansas and that teachers can easily incorporate materials into K-12 classrooms. Moreover, in designing and operating the learning center, the Kansas Supreme Court should remain mindful of the needs of rural school districts. For example, given the rural character of its state, the Wyoming Judicial Center placed much of its content, programming, and other resources online. This ensured that educators in more rural districts located far from the capitol

could still access learning center materials and incorporate them into their lessons.

Educating and inspiring the next generation of Kansas attorneys, judges, and community leaders is essential to the success of our state generally. It can also be part of the solution to attorney deserts in our state. The shortage of attorneys in rural Kansas is not a problem that can be solved overnight. To effectively address the issue, we must consider approaches that produce both short- and long-term results. Educating students about the role of the judicial branch, encouraging them to explore careers in the legal profession, and identifying pathways to jobs in, or adjacent to, the profession is a solution that will serve our best interests in the years to come.

Recommendation 8:

The Kansas Supreme Court should encourage pre-law programming and rural outreach efforts at Kansas universities.

College students should be encouraged to consider law school and the practice of law in rural Kansas. The Kansas Supreme Court, through the Rural Justice Advisory Committee (Recommendation 4), should continue to explore innovative ways to promote rural legal practice while students are earning their undergraduate degrees and monitor the results of those current initiatives with the same focus. Several of those initiatives are already underway in our state.

For example, both Kansas law schools, in conjunction with participating undergraduate institutions, have created accelerated degree programs. These programs allow students to earn their undergraduate degree and law degree in six years instead of the traditional seven-year path.

At KU Law, the accelerated degree program is known as the Legal Education Accelerated Degree (LEAD) Program. Undergraduate students from KU, K-State, and Wichita State University can spend three years on the requirements for their bachelor's degree and three years on the requirements for their juris doctor degree at KU, earning both degrees in that six-year period. The program offers two substantial benefits to participating students. First, it allows the student to avoid the costs of one full year of tuition. Second, participants are guaranteed admission to KU Law, provided they comply with program requirements. LEAD students can also participate in guided experiences, including visits to the Supreme Court and district courts, and have access to special internships.

Washburn Law has a similar program known as the Law School Early Admissions Program (LEAP). Participating students spend three years at Washburn University, Baker University, Fort Hays State University, Emporia State University, or Pittsburg State University, and then three years at Washburn Law, obtaining a bachelor's and juris doctor degree after that six-year period. One option unique to LEAP is that students can couple it with the Third Year Anywhere® enrollment option at Washburn Law. Through that program, students can choose to spend their final year of law school serving an externship in the same location they plan to reside, or with the same firm or organization they plan to work for, after graduation. The combination of these two programs could greatly benefit students who grew up in rural communities and want to practice law in rural Kansas. Those students can leave for college and return home after five years having nearly completed both degrees.

These accelerated degree programs are not the only programs targeting undergraduate students. In 2016, the Rural Legal Practice Initiative was launched through a collaboration among Washburn Law, K-State, the Kansas Department of Agriculture, and the Kansas Farm Bureau. The program is designed to encourage K-State prelaw

students to consider and pursue a legal career in the state’s rural communities. Participants are given “experiential opportunities such as attending specialized mini sessions on diverse legal topics; mentoring with Washburn Law alumni who practice law in rural communities; attending classes at Washburn Law; and taking individual and group immersion trips.”⁹⁰

Participants are also given guidance about the process and requirements to gain admission into, and complete, law school. While limited in scope to one university and one law school, the design of the program is sound.

Given the recency of these initiatives and the duration of the program for participants, it is too soon to quantify the impact they have had on the attorney shortage in rural Kansas. The Supreme Court, through the recommended Advisory Committee, should monitor these results. And it should continue to explore opportunities for program engagement with other universities and law schools to expand prelaw programming across the state. These programs may prove to be a reliable pipeline between undergraduate students and rural firms and organizations looking to hire attorney.

Recommendation 9:

The Kansas Supreme Court should support opportunities for outreach in rural Kansas communities during law school.

Kansas is fortunate that there are already initiatives underway to engage law students in rural practice. When possible and appropriate, the Supreme Court should support these programs and examine opportunities to expand them when success has been documented.

Washburn Law has several initiatives promoting rural practice in Kansas. Some of the most prominent initiatives include the Rural Practice Organization, the Dane G. Hansen Foundation Externship Program, and the Third Year Anywhere® program.

The Rural Practice Organization is a student-led group for those interested in practicing law in rural areas. Members can benefit from development and networking opportunities with other rural legal professionals.

The Dane G. Hansen Foundation Externship Program allows students to pursue six hours of externship credit during the summer with a rural attorney or judge in an eligible county in northwest Kansas. The Dane G. Hansen Foundation provides funding for the project. The funding is used to cover the full cost of the externship tuition credits plus a \$5,000 stipend for travel, housing, and related expenses. Since the program began in 2017, 85 students have participated in the program with 18 ultimately returning to the region to serve as licensed attorneys and more working in bordering counties. At the time of graduation in May 2024, additional students had accepted employment in the area upon passing the July 2024 bar exam. In the summer of 2024, 10 additional students are participating in the program, and three of those students reported that they hope to return to the area after graduation. Due to the success of the program, Washburn Law is working with another nonprofit organization to expand the program statewide beginning in the summer of 2025.

The Third Year Anywhere® program allows Washburn Law students to finish their last year of law school by living in the community where they plan to practice by completing a 20-hour per week externship for six credit hours and finishing their remaining coursework online. While students can choose to complete an externship anywhere in the world, it can especially help students who want to practice in rural Kansas. Through this experience, the law student can

establish roots in the community and begin providing legal services under the direction of a supervising attorney, who can provide mentorship and training in their chosen practice location with the firm or entity they intend to join. As a result, they are trained and ready to practice after passing the bar. In the 2023-2024 school year, 14 students were enrolled in the program in the fall with four students in rural Kansas communities. In spring 2024, 18 students were enrolled with five students in rural Kansas communities.

KU Law also provides its students with opportunities to participate in rural-oriented programs and initiatives. First, these students are eligible to participate in the Dane G. Hansen Foundation Externship through a collaboration with Washburn Law. Second, KU Law Career Services arranged a tour through rural Kansas during the 2023-2024 school year for interested students. They traveled to Dodge City to attend the Southwest Kansas Bar Association Annual Meeting, where they met rural practitioners, judges, and fellow students from Washburn Law. Along the way, the group stopped in several rural Kansas towns to meet with local attorneys, tour local law firms, and get a feel for the communities. After the Southwest Kansas Bar Association Annual Meeting, they took a different route back to Lawrence so they could meet with attorneys in even more Kansas communities. This outing gave students direct exposure to many rural Kansas communities and law firms in a short time. One student noted, “The trip gave me an important perspective. You can read about rural Kansas, but you can’t know about it until you go there.”

But these opportunities are not limited to academia. Other grassroots initiatives provide law students with opportunities to gain practical experience in rural Kansas during law school. Struggling to staff open assistant county attorney positions, Finney County Attorney Susan Richmeier developed an innovative recruitment program. She convinced the Board of County Commissioners to fund new intern positions for two temporarily licensed second-year law

students and two first-year law students with the intent of creating a pipeline during the next three-five years.

While many Kansas employers focus their recruiting efforts on Kansas law schools, Ms. Richmeier strategically looked to Oklahoma law schools. The Oklahoma and Kansas law schools are geographically equivalent in distance to Finney County. Through her efforts, she was able to hire seven interns for the summer of 2024 with two interns splitting their summers with other firms.

Knowing that housing is often a barrier for interns, who cannot afford to pay rent in two locations, Ms. Richmeier worked with Garden City Community College to offer subsidized housing options for the interns. She also supplemented 80% of their housing cost through her budget. But she did not stop there. She worked with local area businesses to ensure interns could experience the community beyond the workplace. For example, interns received discounts at a local gym. She also planned local events for interns to meet with judges and attorneys from the area. Finney County Economic Development and the City of Garden City also provided a few social events for interns from across disciplines to interact throughout their summer internships.

Through the summer, these interns are exposed to a variety of legal work. As part of the Finney County Attorney’s Office, the legal interns are given opportunities to maximize exposure to prosecution. Besides scanning and basic file maintenance, the interns are learning how to research “real-life” legal issues, and one of their interns second chaired a jury trial. The intern was tasked with a complete voir dire (including pulling potential jurors from the post office when the jury pool ran out) and direct and cross-examination. Their interns may also observe local attorneys in their domestic and civil trials, as well as mediation. District Judge Richard Marquez prepared and mentored the interns through various projects and subject matter. Judge

Marquez serves on the Rural Justice Initiative Committee. These collaborations provide the interns with a robust and well-rounded internship experience. And the costs associated with the program are covered through the county attorney’s budget authority.

Ms. Richmeier’s summer-internship program is designed to address many of the recruiting barriers that the Committee has identified. She is offering financial incentives through paid internships, housing stipends, and discounts at local businesses. She is addressing practice barriers by exposing interns to a wide variety of meaningful practice opportunities with several different mentors. And she is overcoming cultural barriers by creating a sense of community. By recruiting more than one intern at a time and offering interaction with the local businesses, attorneys, and judges, she is helping to prevent isolation and loneliness. While it is early, we hope to see her efforts make a significant difference in her community and Kansas as a whole.

These programs and initiatives should continue and, where feasible, be expanded so that all Kansas law students have the same opportunities to experience rural Kansas. The professional organization for rural attorneys (see Recommendation 3) should connect with the Rural Practice Organization at Washburn Law and work with leadership at KU Law to explore the appetite for a similar student-led group at KU Law. Students at both law schools should have the chance to network with like-minded students and rural attorneys alike and experience rural practice firsthand through paid externship opportunities throughout rural Kansas. And the rural Kansas tour developed at KU Law should continue, be expanded to both schools, and incorporated into any rural attorney program developed from the recommendations in this report.

Recommendation 10:

The Kansas Supreme Court should encourage rural attorneys to collaborate with other professionals in grassroots efforts to support and sustain Kansas communities.

The Committee met with doctors, veterinarians, and other professionals to discuss their challenges in recruiting and retaining individuals in rural Kansas. What we discovered is that we share a great deal in common. We are all concerned about access to vital goods and services such as childcare, healthcare, education, and more. And we think about quality of life and entertainment. These shared concerns provide natural opportunities for collaboration. Such collaboration is already developing through the Kansas Sampler Foundation.

The ORP partnered with the Kansas Sampler Foundation to engage with people between the ages of 21 and 39 from across the State of Kansas. Their goal is to better understand how to recruit and retain young people in Kansas. The partnership resulted in the Power Up & Go Report at <https://kansassampler.org/2KansasPowerUp&Go>. The report identified three key goals, which are consistent with the input the Committee received from attorneys across Kansas:

1. Make rural life viable, possible, and attractive to young people and families—and keep up the momentum in places where this is already happening.

2. Value diversity in all its forms—in culture, ideas, age, gender and thought.
3. Support civic champions, entrepreneurs, public servants and volunteers by creating a place that everyone is proud to call home.⁹¹

ORP and the Kansas Sampler Foundation both support grassroots initiatives addressing common challenges in rural Kansas like childcare, concerns about education, access to healthcare, and creating a sense of belonging. These are the same concerns that law students identified as potential barriers to living and working in rural Kansas. We cannot afford to ignore these issues.

At the annual We Kan! Conference, the Kansas Sampler Foundation brings together speakers mainly from rural Kansas communities to share community-success stories with other rural Kansans. At the Big Rural Brainstorm event, which the Kansas Sampler Foundation describes as an “un-conference,” Kansans from across the state come together in fast-paced facilitated sessions to prompt discussion and new ways to think about the issues impacting rural Kansas. Both events bring rural leaders together to engage in grassroots work to address the challenges rural communities face—the same issues that attorneys and law students identified as barriers to practicing law in rural Kansas. We must turn these brainstorming into action, so that working parents have access to quality childcare, healthcare, and education for their families in rural Kansas. These issues are important to all Kansans, not just rural attorneys. Therefore, we must collaborate and engage with other professionals for the betterment of Kansas generally.

One example of a law student leading grassroots advocacy is Paige Harding, who graduated from Washburn Law in May 2024. Paige grew up in Dodge City before moving to Lawrence to attend KU for her undergraduate studies and then

Washburn Law for her law studies. Paige noted, “I have been passionate about rural Kansas my whole life. While in law school, I saw there were no young people championing rural Kansas, so I thought why not me?” Paige went on to create a blog, <https://www.paigeharding.com/blog>, that highlights the need for more attorneys in rural Kansas. Not only does Paige provide resources for other law students interested in practicing in rural Kansas, but she also promotes the importance of community engagement. This type of grassroots leadership is essential as we move forward.

Finally, attorneys underpin community development. They are trained in advocacy and have historically served as directors of leading community organizations across rural Kansas. The Kansas Supreme Court, through an Advisory Committee, should assist in providing programming to law students and new attorneys on leadership development and should identify opportunities to promote cross-professional collaboration events and initiatives targeting our rural communities. In turn, it should also support events hosted by other organizations that facilitate such collaboration.



Conclusion

A rural Kansas sunflower field. Photograph courtesy of Jim Sechrist.

The work of the Committee does not end with the publication of this report. We are just starting to address the challenges created by attorney shortages across Kansas. The Kansas Supreme Court took an important initial step in December 2022 by bringing together stakeholders from across the state to closely examine issues. What we have found is that there is no single cause or solution to the shortage of attorneys in rural Kansas.

Some of the Committee’s recommendations can generate incremental improvements in short order. Others will require a long-term focus and commitment. Regardless, the attorney-shortage issue demands a multifaceted approach that will require the commitment of the judicial branch and fellow legal professionals in collaboration with community leaders, governmental agencies,

and organizations who share a vested interest in the welfare of rural Kansas. We must all work together to help ensure that all Kansas citizens and businesses—whether in Kansas City or Montezuma—have access to a qualified attorney in their community.

Attachments

Attachment 1

2023 Survey of Rural Attorneys in Kansas—Summary

520 Respondents

33% Response Rate

➤ Who were the respondents?

- 12% are 26-25; 23% are 26-25; 15% are 46-55; 19% are 56-65; 24% are 66-75; and 7% are 76 or older.
- 69% are male; 31% are female.
- 96% are white; 3% preferred not to identify their race; less than 1% are black; less than 1% are Asian.
- 80% are married; 9% are single; 9% are divorced; 1% are widowed; 1% identify as another marital status.
- 71% are originally from a rural area in Kansas; 8% are originally from a rural area, but not in Kansas; 22% are not originally from a rural area.
- 21% graduated law school before 1980; 19% graduated law school between 1981-1990; 18% graduated law school between 1991-2000; 20% graduated law school between 2001-2010, 19% graduated law school between 2011-2020, 3% graduate law school 2021 or after.

➤ What is the need?

- 80% strongly agree there are not enough lawyers in their primary county to meet the legal needs of the people who live there.

➤ What do rural law practices currently look like?

- 79% of rural practices have only one office.
- 85% of attorneys live in the same county as they practice.
 - However, a significant portion of attorneys travel out of their resident county multiple times per week.
- 40% of rural practices have only 1 attorney; 30% have 2-3 attorneys.
- 31% have 2-3 non-attorneys in the practice; 19% have just one non-attorney on staff.
- 49% spend 0-10 hours working on non-legal tasks per week; 38% spend 11-20 hours.
- 31% of the practices are organized as Limited Liability Corporation.
- 64% of rural attorneys do not accept court appointments.
 - Of those who do accept court appointments, 45% accept them in four or more counties and 41% responded that up to 50% of their caseload is court-appointed.

- 35% do not offer any pro bono services.
- 31% report that they have been unable to fill an open attorney position in their practice.
- 81% do not provide multilingual services.
- 56% have a back-up attorney designated in case of emergency, but only 15% have said agreement in writing.
- 49% do not have a succession plan in place for their practice.
- 54% of rural practices do not charge for an initial consultation.
- 61% reported that they don't always require a retainer fee, it depends on the matter; only 15% always require a retainer fee.
- 50% outsource bookkeeping services.
- 24% outsource legal research and drafting.
- 57% turn clients away 1-5 times per week; 24% turn clients away 6-10 times per week.
- 44% turn clients away because the matter is not within their area of expertise.

➤ **What might a new attorney position look like?**

- 24% offer a base salary only; 22% offer a base salary plus bonuses based upon earnings; 5% offer earnings only; the remaining 49% indicated the question is not applicable.
- 62% of rural practices offer paid sick leave; 68% offer paid vacation leave.
- 50% offer medical insurance; 40% offer dental insurance; 30% offer vision insurance.
- 49% offer financial and/or retirement benefits.
- 30% offer paid leave for the birth or adoption of a child.
- 26% offer life insurance.

➤ **What mentoring is happening in rural Kansas?**

- 57% report that they have an attorney mentor.
- 53% report that they serve as an attorney mentor.

➤ **What is the impact of student loan debt across rural Kansas?**

- 74% of rural attorneys self-reported graduating law school with at least some student loan debt.
- 26% of rural Kansas attorneys who graduated before 1980 reported graduating law school with education debt.
- 93% of rural Kansas attorneys who have graduated since 2011 report graduating with education debt.
- Rural Kansas attorneys graduating before 1980 reported an average of \$9,188 in law school debt and \$12,200 in total student loan debt.
- Rural Kansas attorneys who graduated after 2011 reported an average law school debt of \$98,032 and total educational debt of \$124,614.
- 38% report student loan forgiveness would make them more likely to keep practicing in rural Kansas.

➤ **In which professional legal organizations have rural attorneys joined?**

- 85% are members of the Kansas Bar Association.
- 21% are members of the American Bar Association.
- 17% belong to the Kansas County & District Attorneys Association.
- 19% belong to the Kansas Association of Criminal Defense Lawyers.
- 6% to the Kansas Trial Lawyers Association.
- 10% to the Kansas Women Attorneys Association.

➤ **What did rural attorneys have to say about practicing in rural Kansas?**

➤ **What is the biggest challenge to practicing in rural Kansas?**

“Lack of attorneys. I have a lot of work, and I cannot keep up. I work all day, come home and work all night and work on weekends. It causes unnecessary stress and regret as I am giving up my life to try and help others instead of spending time with my family.”

“Too much work for not enough attorneys.” “Can’t charge as much.”

“Elected judges . . . not based on skill, knowledge, or temperament, lack of options.”

“The breadth of practice.”

“The lack of attorneys, the lack of consistencies between the different judicial districts.”

“Finding staff.”

“Recruiting young attorneys that are willing to live in western Kansas and forgo the social opportunities attendant to more urban areas.”

“Hiring new associate attorneys.” “Being all things to all people.”

➤ **What is the best part of practicing in rural Kansas?**

“I own my business I serve the communities that I grew up with.”

“You get to know the other lawyers.”

“Flexibility of hours.”

“Knowing our clients; having time for family.” “The people and the opportunities for my kids.”

“Helping people and solving problems for them.”

“Never getting lost!”

“The camaraderie of the local bar association is very good. Almost everyone is civil with each other.”

“Low crime rate.”

“Ability to practice in a wide variety of areas; opportunity to be the one phone call person for a client—you sell land, your child gets a DUI, you need a trust, I’m your guy. Allows for good working relationships.”

➤ **Why did you choose to practice in rural Kansas?**

“Family illness.”

“Came home where I was raised.”

“Wife’s job at a local university.”

“Enjoy living in rural Kansas, wanted to be able to practice in a truly general practice with several viable practice areas, wanted a small-town law experience.”

“I would hate living in a big city.”

“Lifestyle. A slower pace of life. I did not see myself working in Kansas City or Wichita. It seemed like a rat race.”

“Appointment as District Court Judge.”

“Another attorney needed help, and I moved my practice here to do that.”

“Opportunity to fill an unmet need for specialty trial practice.”

“To be closer to home and to enjoy a calmer lifestyle than city practice.”

➤ **In the last five years, have you considered relocating your practice to a more urban jurisdiction?**

- 75% (312 attorneys) said no.
- 25% (104 attorneys) said yes.
 - If yes, why these attorneys chose to stay:

“I own my own business and have established clients.”

- If yes, and you left, why:

“I left after being given [an] opportunity . . . we did not have the technology we have today, otherwise I might still be out West.”

➤ **Is there anything else you would like the Kansas Rural Justice Initiative Committee to know?**

“If you pay off my student loans I will practice in rural Kansas for the rest of my career.”

“Within a few years all of the attorneys in this county may be retired other than maybe one attorney. Only two have traditional office practices.”

“The biggest drawback is that there is little opportunity to specialize in a rural environment. I’ve had a chance to move my practice to an even-more-rural county, but I’m a transaction lawyer, and if I moved, I would have to start litigating, fix traffic tickets, and perform other services that don’t allow me to maximize my value and that, frankly, I don’t have any desire to provide after 21 years as a fairly specialized transaction lawyer.”

“It’s close to impossible to hire a new graduate in Western KS, even with stipends and other benefits. One attorney we hired from law school stayed 6 months.”

“Online CLE educational opportunities are an important lifeline for us in rural Kansas.”

“Practicing in a small community can be difficult because your expenses and operating costs may exceed your income.”

“We need more attorneys in these areas. The Bar is aging and there is no one coming to take the place of the retiring lawyers. The competency level of the Bar is also slipping as it is aging.”

“Childcare makes rural practice difficult.”

“I quit practicing law and took a local government job with benefits, including Health Insurance.”

“Please apply all statutes and rules equally between pro se parties and represented parties. Often, that would mean the pro se parties will be unsuccessful. However, if citizens [were to] choose to practice medicine, build their own houses, repair their own vehicles, etc.; they [also would have to] bear the consequences.”

“Computerized law practice is not for us old guys.”

“Rural solo practitioners are targeted by the Kansas Disciplinary Administrator’s Office because of complaints due to the heavy case load we endure and lack of resources available. There is a need for some understanding on the difficulties of handling enormous caseloads to keep the judiciary functioning properly.”

“Young lawyers can get a taste of every type of law out here in a safer environment to practice. The law students do not seem to know that. They think KC or Wichita or bust, and that mindset needs to change. They also need to understand that three years into rural practice I was making way more than my counterparts who got a big offer out the gate at a big firm in a big city, with more freedom to explore other areas of the law.”

“I genuinely like practicing in a rural community, but I wish there were more and less expensive personnel for us to hire.”

“The work you are doing is important. There is serious concern about the number of attorneys practicing in western Kansas and the average age of the attorneys practicing here. It is important people living in rural communities have access to good legal advice and representation. Thank you.”

“Big cities are not better. There needs to be a reallocation of federal and state resources and theory to support rural parts of every state. Instead of concentrated business models, large schools, etc. Towns of only a couple 1,000 people or less that are not within 30 miles of a larger town are not likely sustainable without supplement are a thing of the past but if we modified our business, transportation and financial model communities of 6,000 or more (certainly the 15,000 or more range could support themselves and would be better for society overall.”

“Student loan forgiveness would be HUGE. It would help to get more practitioners to the area in much the same way as it draws physicians to rural areas. There is an increasing inability to pay for services by many clients. Lower education levels among clients and rural residents can make lawyering difficult as it means more work trying to educate the public about this, that, or the other. That said, I’m here by choice, I love what I do, and I enjoy helping the people that I get to help.”

“If you can solve this crisis or even abate it to some extent, we will be very happy. The caseloads in rural counties far outstrip the abilities of the few attorneys available.”

“Having a private practice in rural Kansas not only requires good attorneys, but also good support staff. We have seen a downturn in those willing to work in our support positions when they come available. We also probably overpay some of our support positions (receptionist/secretary) in order to compete with other employers in town, as our staff are necessary and important parts of our firm. However, having to compete with large employers in the area for these jobs has made it tough on our overall budget. Finally, we have offered intern positions with our firm in the past.

Mainly these are kids that have family in the area and may want to return someday, but many of these interns take other opportunities in more urban areas after a summer here. Several of them that have recently graduated had offers from urban area firms they plan to take.”

“We need help to get attorneys back West of Salina.”

“We need incentives for people to work here, for new people and those already working so they actual ly stay. Need to make sure rural areas have a sufficient number of Judges and that pay is good enough to attract qualified candidates.”

“There are a lot of positives to living in a rural area if you are married and have kids. It seems hardest to attract young single attorneys who want to meet a significant other. There is plenty of work in a small town, but I think the salary standards have to come down for most attorneys until they build their practice. So young/single attorneys with student loan debt will have trouble in rural areas unless there is a family connection to the area. Housing affordability is also a problem for younger attorneys with high student loan debt.”

“The attorney shortage in western Kansas is at a critical level.”

“There needs to be more opportunity for attorneys serving rural communities to reduce student debt by working in these communities serving the public good.”

“Following up on the prior question—since the Covid-19 pandemic, I have been approached directly by a firm interested in a remote attorney, and I have had multiple job postings sent to me for remote legal work wondering if I’d be interested in applying. I think the remote practice of law will continue and could result in the shortage becoming a more serious issue very quickly if not addressed.”

“Many young people do not feel connected to others in the practice when they move to rural areas. The use of technology could help on the professional side.”

“Please be cognizant that I may be the only person in my county to answer this survey. I am too busy to even answer this survey.”

“A firm (in a town around 2,000 people) who showed me their books so I could look at buying in was making more money in actual dollars per lawyer in the 1970-80’s than they were in 2015, and they had 5 lawyers back then compared to 2. This is not adjusted for inflation just straight \$. The client base didn’t support a new lawyer compared to other opportunities. The clients are also moving to or sending business to larger firms and cities. I lost numerous clients because they wanted one firm to be able to do everything, wanted to have someone else to talk to if I was on vacation, or needed to know that if something happened to me, they wouldn’t be starting over from scratch. Beyond the student loan debt that you need to service, and lack of mentoring/support a part of the problem not often addressed is many of the older attorneys don’t want to let go and/or have no plan on how to. They have spent no time working on a succession plan. Now they are in their 70’s and realizing they don’t have any way to transition clients or work to younger lawyers. They boxed us out protecting what they had. I offered to buy a practice (I was going to take loans

out so it would be cash in hand to him at his full valuation) from an older lawyer now in his mid-70's and he said no. He would only sell a part of it. He wanted to keep making all the decisions including staffing, offices, operations etc. despite being part time and claiming to want to be done within 12 months. Seven years later he is still working. I heard complaints of other lawyers about my age who have offered to buy the rural practices they went to out of law school only to be rebuffed. They can own it when the senior partner/owner retires. Other firms are top heavy and don't do anything to transition other than look here are my clients, when they retire or die you can have them. The last firm that asked me to join is 4 partners over 70 and one in his mid-50's. In the three years I was there the two other associates left then a third was hired and left I was the only survivor out of 4 associates. When they asked me to join the partnership their plan was as they retire, I can keep their clients (if the clients wanted to stay) and decide what happens with the practice. In the meantime, they would keep trying to hire associates. No plan on how to do something different to keep anyone or start transitioning clients while they were still practicing ensuring they stayed with the firm. In my experience from internships on, most attorneys, and I have had the advantage of working with some excellent, skilled, and brilliant attorneys, but they are poor managers and businesspeople. Everyone just assumed law firms make money as long as a lawyer is in the building. The law school preached go west. Lots of work and money in rural communities. They trusted the attorneys to figure out how to transition the practices to younger lawyers, and that broke down for the most part. I really worry that this has been ignored for too long. As these attorneys age and die out there will be fewer and fewer people to help any new graduates moving to these communities. I think the client base recognized the issue long before the bar association, schools and communities did. They have adapted and moved on. You are going to have to win them back, and retrain the businesses, and clients to trust rural general practitioners if anyone is going to survive. All the mentoring, community support, student loan forgiveness, Zoom court and other programs won't help if the clients keep going to the big 5 counties for their needs. Consolidation of courts and remote hearings also help the big firms compete as well and makes it easier for them to replace local lawyers. Who knows perhaps that is the solution, you don't have local lawyers anymore. Set up a system that allows someone in Kansas City or Wichita to handle cases in Syracuse, Gove, Smith Center etc. everything is done remotely."

Attachment 2

2024 Survey of Law Students in Kansas—Summary

122 Respondents

Response Rate was 22% from KU Law & 34% from Washburn Law

➤ Who were the respondents?

- 66% from KU Law & 34% from Washburn Law.
- 34% were 1Ls, 41% were 2Ls, 24% were 3Ls, and 1% indicated other.
- 37% had lived in a rural Kansas community, 20% had lived in a rural community outside of Kansas, 43% have never lived in a rural community.

➤ What is the interest?

- 27% are interested in practicing in rural Kansas.
- 43% are not interested in practicing in rural Kansas.
- 28% are unsure of whether or not they would like to practice in rural Kansas in the future.

“I have grown up in a small town, and I just love the feeling of community that comes with rural towns. I would love to support a smaller community and help them through hard times.”

“The freedom to know your clients and community in a closer manner than it would be possible to in a urban setting.”

“My interests in rural law practice are being able to provide legal services to people who do not have access to legal representation.”

“The biggest draws for rural law practice for me would be being able to create fuller relationships with other attorneys and having a shorter timeline to get in-courtroom experience compared to the timelines for attorneys at big firms in larger cities.”

➤ What are the perceived barriers?

“Amenities in rural areas is the largest. This ranges from simple things such as having to plan a trip to go to the grocery store, not having a recreational facility, and places to visit socially. It also includes very important things such as a lack of adequate emergency services and support structures.”

“I think the lack of attorneys to mentor. Also, the starting salaries of rural attorneys compared to urban attorneys seems to be quite different.”

“It can feel difficult to become part of a legal community. Additionally, the pay is generally lower than it would be in a larger city which could prolong the process of paying off debt.”

“Lower starting salaries are a major drawn back to rural practice. The need for attorneys in rural areas runs deep but the financial side doesn’t seem to reflect the amount of work there is. With student loans to repay, the need for some monetary incentive is high.”

“Lack of opportunities (employment), lack of diversity (in respect to race and ethnicity, gender and sexual orientation, politics), lifestyle.”

“I think there is a lack of financial transparency about practicing in rural Kansas. I lived in Dodge City for 18 years and I have no idea what the starting salary is for an attorney in the area. Also, during my time in law school, I have never seen any Dodge City firms participate in OCIs. The only southwest Kansas participant is the Finney County Attorney’s Office (also the only employer I know of that provides free housing for the summer).”

Attachment 3⁹²

County	Residing Attorneys per 1,000 Residents	Working Attorneys per 1,000 Residents
Allen	0.73	1.05
Anderson	0.64	0.77
Atchison	1.31	1.00
Barber	1.47	0.98
Barton	1.25	1.41
Bourbon	0.83	0.90
Brown	1.19	1.08
Butler	1.95	0.51
Chase	1.94	1.16
Chautauqua	1.79	1.79
Cherokee	1.05	1.42
Cheyenne	0.76	1.14
Clark	2.71	2.17
Clay	1.25	0.62
Cloud	0.90	0.79
Coffey	1.33	1.09
Comanche	1.21	1.21
Cowley	0.85	0.76
Crawford	1.37	1.34
Decatur	1.11	1.11
Dickinson	0.87	0.38
Doniphan	1.07	1.20
Douglas	5.33	2.58
Edwards	0.37	0.37
Elk	1.22	1.22
Ellis	1.84	1.91
Ellsworth	1.42	1.42
Finney	1.28	1.28

County	Residing Attorneys per 1,000 Residents	Working Attorneys per 1,000 Residents
Ford	1.06	1.15
Franklin	1.15	1.15
Geary	0.77	1.20
Gove	0.73	0.37
Graham	1.26	1.26
Grant	0.28	0.42
Gray	0.87	0.70
Greeley	1.69	2.54
Greenwood	1.19	0.85
Hamilton	0.82	0.82
Harper	0.74	1.29
Harvey	1.22	1.16
Haskell	0.83	1.10
Hodgeman	0.00	0.00
Jackson	1.20	0.97
Jefferson	1.86	0.49
Jewell	1.40	1.05
Johnson	5.56	3.64
Kearny	0.26	0.52
Kingman	0.57	0.85
Kiowa	0.42	0.42
Labette	0.35	0.46
Lane	1.96	1.31
Leavenworth	1.13	0.79
Lincoln	1.71	0.34
Linn	0.51	0.71
Logan	1.13	1.13
Lyon	1.15	1.24
Marion	0.30	0.23
Marshall	0.51	0.51
McPherson	3.62	3.22

County	Residing Attorneys per 1,000 Residents	Working Attorneys per 1,000 Residents
Meade	1.28	0.77
Miami	1.16	0.48
Mitchell	1.57	1.57
Montgomery	0.98	1.01
Morris	1.87	1.31
Morton	1.16	1.16
Nemaha	0.99	0.99
Neosho	1.75	1.56
Ness	0.38	0.38
Norton	1.31	1.50
Osage	1.39	0.82
Osborne	1.46	1.46
Ottawa	0.69	1.03
Pawnee	1.14	1.14
Phillips	0.84	1.05
Pottawatomie	1.78	0.45
Pratt	1.87	1.87
Rawlins	0.81	1.22
Reno	1.22	1.22
Republic	1.73	1.30
Rice	0.76	0.86
Riley	1.53	1.62
Rooks	1.26	0.84
Rush	0.71	0.35
Russell	1.19	1.04
Saline	1.92	1.92
Scott	1.02	1.02
Sedgwick	2.23	2.32
Seward	0.81	1.00
Shawnee	4.23	6.05
Sheridan	0.83	0.83
Sherman	0.68	0.86

County	Residing Attorneys per 1,000 Residents	Working Attorneys per 1,000 Residents
Smith	1.39	1.39
Stafford	0.26	0.26
Stanton	0.53	0.53
Stevens	1.58	1.58
Sumner	1.16	0.90
Thomas	1.27	1.27
Trego	1.10	1.10
Wabaunsee	1.70	0.57
Wallace	1.33	1.33
Washington	0.73	0.73
Wichita	0.00	0.00
Wilson	1.19	0.72
Woodson	0.96	1.28
Wyandotte	1.10	1.69

Attachment 4

Proposed Legislation

New Section 1

(a) As used in this act:

- (1) “advisory committee” means the committee appointed by the Chief Justice of the Supreme Court to assist with administering the attorney training program for rural Kansas and the Kansas Rural Attorney Loan Repayment Program;
- (2) “attorney training program for rural Kansas” means the program established at each law school in consultation with the advisory committee;
- (3) “Kansas Rural Attorney Loan Repayment Program” means the repayment program established in the Office of Judicial Administration;
- (4) “law school” means the law school of Washburn University and the law school of the University of Kansas;
- (5) “loan repayment assistance” means financial assistance in paying all or part of the principal, interest, and other related expenses of a qualifying educational loan;
- (6) “practice of law” means the same as Supreme Court Rule 719B;
- (7) “program agreement” means an agreement to meet all a law school’s required obligations provided in this section by a person who is a law student at the school and that provides benefits to such person as provided in the attorney training program;
- (8) “qualifying rural legal profession” means a person who:
 - a. Has applied for rural attorney loan repayment assistance;
 - b. Holds a law degree from an accredited institution of higher education
 - c. At the time of the application, is licensed to practice law in the state of Kansas and in good standing;
 - d. Has outstanding student loan debt;
 - e. Resides in a rural county; and
 - f. Is employed in the practice of law in one or more rural counties.
- (9) “rural” or “rural area” means any county of this state other than Douglas, Johnson, Sedgwick, Shawnee, and Wyandotte counties.

- (b) (1) There is hereby established an advisory committee that will assist the administration of the attorney training program for rural Kansas and the Kansas Rural Attorney Loan Repayment Program.
- (2) The advisory committee shall consist of the following members, as appointed by the Chief Justice of the Supreme Court:

- (i) Three Kansas licensed attorneys from rural areas;
- (iii) Two members from a rural area;
- (iv) One representative from Washburn University School of Law; and
- (v) One representative from the University of Kansas School of Law.

(3) The Office of Judicial Administration shall provide staff support to the advisory committee.

New Section 2

- (a) Subject to available appropriations, the Office of Judicial Administration in coordination with the advisory committee shall develop and maintain a Kansas rural attorney loan repayment program in which the state agrees to pay all or part of the principal, interest, and related expenses of the educational loans of each eligible rural attorney selected for participation in the program.
- (b) A qualifying rural attorney is eligible for loan repayment assistance if the rural attorney meets the following criteria:
 - (1) Has applied to the advisory committee established in this act;
 - (2) Holds a law degree from an accredited institution of higher education;
 - (3) At the time of the application, is licensed to practice law in the State of Kansas and in good standing;
 - (4) Has outstanding student loan debt;
 - (5) Resides in a rural county; and
 - (6) Is employed in the practice of law in one or more rural counties.
- (c) The advisory committee may approve applications and provide repayment assistance for the repayment of any student loan for education at an institution of higher education in coordination with the Office of Judicial Administration, including loans for undergraduate education, received by the qualifying rural attorney through a lender.
- (d) Loan repayment shall be available to qualifying rural attorneys on an annual basis, however, a qualifying rural attorney shall enter into a contract, as a condition of eligibility for loan repayment assistance, in which the rural attorney agrees to provide attorney services in Kansas rural areas for a period of at least 12 continuous months for each separate year the attorney receives loan repayment assistance under the program, unless such obligation is otherwise satisfied as provided in this section.
- (e) The advisory committee may establish the total amount of annual financial assistance available under the loan repayment program to any qualifying attorney. The amount of loan repayment provided under this program shall be determined by the advisory committee and shall not exceed \$20,000 for each year the individual establishes eligibility for assistance. The total amount of repayment assistance made to any qualifying rural attorney may not exceed \$100,000. A qualifying rural attorney may receive loan repayment assistance under this program for not more than five years.
- (f) An obligation to engage in the practice of law in accordance with the provisions of this section shall be postponed during:

- (1) Any period of temporary medical disability during which the person obligated is unable to practice law due to such disability;
 - (2) Any period of time when the reason for not engaging in practice of law is due to a reason that would be covered in the Family and Medical Leave Act; and
 - (3) Any other period of postponement agreed to or determined in accordance with the repayment assistance contract.
- (g) An obligation to engage in the practice of law in accordance with the provisions of the agreement and this section shall be satisfied:
- (1) If the obligation to engage in the practice of law in accordance with the agreement has been completed;
 - (2) If, because of permanent disability, the person obligated is unable to practice law; or
 - (3) The person obligated dies.
- (h) Any contracts for rural attorney loan repayment assistance shall include reasonable penalties for breach of contract. In the event of a breach of contract for loan repayment entered pursuant to this statute, the Office of Judicial Administration shall be responsible for enforcing the contract and collecting any damages or other penalties owed.
- (i) Nothing in this statute shall be interpreted to create a legal entitlement to loan repayment assistance. The amount of assistance available is limited by available appropriations.
- (j) The state rural attorney loan repayment fund, referred to in this section as the “fund”, is hereby created in the state treasury.
- (1) The fund consists of money appropriated by the Kansas legislature, and any funds or contributions received from public or private sources. Funds or contributions received from public or private sources shall be transmitted to the treasurer, who shall credit the money to the fund.
 - (2) At the end of the fiscal year, all unexpended and unencumbered money in the fund remains in the fund and shall not be credited or transferred to the state general fund or any other fund.
 - (3) Subject to annual appropriations, the Office of Judicial Administration may expend money from the fund to provide loan repayment assistance to qualifying rural attorneys. Money in the fund may also be used to pay for the administrative costs of the advisory committee and the Office of Judicial Administration expenses to implement the loan repayment program; except that the administrative costs shall not exceed ten percent of the money in the fund.
 - (4) The Office of Judicial Administration is authorized to receive contributions, grants, and services from public and private resources to carry out the purposes of this section.
- (k) The advisory committee is authorized to promulgate rules necessary to implement the rural attorney loan repayment program authorized in this section, including additional provisions, requirements or conditions to participate in this program or may be required for the implementation or administration of the program, and are not inconsistent with the provisions of this section or the provisions of the appropriation acts, and including establishing criteria for prioritizing the repayment of loans if there are insufficient moneys in the state rural attorney loan repayment fund.

- (l) On or before October 1, 2026, and before each October 1 after through October 1, 2030, the Office of Judicial Administration shall report to the joint budget committee and the house and senate judiciary committees for the preceding state fiscal year:
 - (1) The money allocated to the state rural attorney loan repayment program;
 - (2) The number of qualifying rural attorneys who applied to rural attorney loan repayment program;
 - (3) The number of qualifying rural attorneys who received a contract for loan repayment assistance; and
 - (4) The proportion of money appropriated from the state rural attorney loan repayment fund, reported by, as applicable:
 - (i) Use;
 - (ii) County;
 - (iii) Numbers and categories of clients served provided in a manner that does not violate attorney client privilege; and
 - (iv) The process for allocating funding.

New Section 3

- (a)(1) There is hereby established the attorney training program for rural Kansas. The program shall be developed and implemented to provide encouragement, opportunities, and incentives for persons pursuing a law degree at either Washburn University or the University of Kansas to practice law in rural Kansas.
- (2) The program shall be administered by the schools of law at Washburn University and the University of Kansas for their participants in coordination with the advisory committee.
- (b) Subject to the provisions of appropriation acts, in accordance with the provisions of this section, the law schools may separately execute their own program agreements with law students who have met the requirements of this section and those developed by the advisory committee and individual law school. Preference shall be given to those students who are Kansas residents.
- (c) Subject to the provisions of appropriation acts, each student entering into a program agreement under this section shall receive a loan in an amount not to exceed \$30,000 per year for not more than three years for tuition, books, supplies, and other school expenses incurred by the student in pursuing a law degree. Upon satisfaction of all commitments under the provisions of the agreement and of this section, the loans provided pursuant to this section shall be deemed satisfied and forgiven.
- (d) Each program agreement shall require that the person receiving the loan:
 - (1) complete the law degree program at the law school;
 - (2) complete:
 - (A) All required training and classes as determined by the law schools and advisory committee; and

- (B) an externship and mentoring requirement with an approved licensed attorney in rural Kansas as required by the law schools and advisory committee;
- (3) engage in the practice of law:
 - (A) in any rural county in Kansas; and
 - (B) for a period of at least 12 continuous months for each separate year a student receives a loan under the program, unless such obligation is otherwise satisfied as provided in this section;
- (4) commence such practice of law within 90 days after admittance to the Kansas bar or if such person enters a post-degree training program, within 90 days after completion of such post-degree training program; and
- (5) upon failure to satisfy the obligation to engage in the full-time practice of law in accordance with the provisions of this section, repay to the law school, within 90 days of such failure, the amount equal to the amount loaned to such person less a prorated amount based on any such period of practice of law meeting the requirements of this section, plus interest at the prime rate of interest plus 2% the date such loan accrued. Such interest shall be compounded annually.
- (e) Each law school shall coordinate with the advisory committee on the development of their program agreements and additional requirements as determined by each law school.
- (f) Nothing in this section requires or obligates the law school to approve or enter into a program agreement with a law school student.
- (g) An obligation to engage in the practice of law in accordance with the provisions of this section shall be postponed during:
 - (1) Any period of temporary medical disability during which the person obligated is unable to practice law due to such disability;
 - (2) Any period of time when the reason for not engaging in practice of law is due to a reason that would be covered in the Family and Medical Leave Act; and
 - (3) Any other period of postponement agreed to or determined in accordance with the repayment assistance contract.
- (h) An obligation to engage in the practice of law in accordance with the provisions of the agreement and this section shall be satisfied:
 - (1) If the obligation to engage in the practice of law in accordance with the agreement has been completed;
 - (2) If, because of permanent disability, the person obligated is unable to practice law; or
 - (3) the person obligated dies.
- (i) The law schools in consultation with the advisory committee may adopt additional provisions, requirements, or conditions to participate in this program as are practicable and appropriate to accomplish the provisions of the program or may be required for the implementation or administration of the program, and, in any case, as are not inconsistent with the provisions of this section or the provisions of appropriation acts.

- (j) The dean of each law school shall annually submit a report to the senate committee on judiciary and the house committee on judiciary, or any successor committee. Such annual report shall include details on the attorney training program for rural Kansas.

This act shall take effect and be in force from and after its publication in the statute book.

Endnotes

- 1 For a summary of the Survey, see Attachment 1.
- 2 For a summary of the law student survey, see Attachment 2.
- 3 *E.g.* Institute for Policy & Social Research, University of Kansas, Kansas Statistical Abstract 2022, 57, at 456 *available at* <https://ksdata.ku.edu/ksdata/ksah/KSA57.pdf>; Office of Management and Budget, Executive Office of the President, OMB Bulletin No. 23-01, 2 (2023); U.S. Census Bureau, Understanding and Using American Community Survey Data: What Users of Data for Rural Areas Need to Know 2 (2020), *available at* https://www.census.gov/content/dam/Census/library/publications/2020/acs/acs_rural_handbook_2020.pdf; James C. Davis et al., U.S. Department of Agriculture, Rural America at a Glance (2023), *available at* <https://www.ers.usda.gov/webdocs/publications/107838/eib-261.pdf?v=2072.4>.
- 4 *See* K.S.A. 2023 Supp. 65-491(a)(1).
- 5 The Committee surveyed Kansas District Court Chief Judges in February 2023. Of the 31 Chief Judges in Kansas, 22 responded for a response rate of 71%.
- 6 U.S. Census Bureau, QuickFacts: Kansas (2023), <https://www.census.gov/quickfacts/fact/table/KS/PST045223#PST045223> (last visited Jun. 22, 2024).
- 7 An active attorney is an attorney “who is required to pay the annual registration fee, is registered as active for the current licensing period under Rule 206(a)(1) and (b)(1), and is not suspended or disbarred from the practice of law by the Supreme Court.” Supreme Court Rule 801(a) (2024 Kan. S. Ct. R. at 593).
- 8 Data regarding the number of attorneys within the State of Kansas is from the Office of Judicial Administration’s Office of Attorney Registration. Attorneys are required under Rule 206 to report both a business address and a personal address on an annual basis and update the office within 30 days if there is any change in contact information. The system only allows for one business address to be collected. It is not uncommon for rural attorneys to practice in multiple counties throughout the state. In fact, 21% of rural Kansas attorneys report having more than one office location and more than 55% of rural Kansas attorneys report working in multiple counties at least once per week. Additionally, an attorney may live out of state and commute into Kansas for work or live in Kansas and commute out of state for work.
- 9 ABA, Profile of the Legal Profession 2023 20 (2023).
- 10 ABA, Profile of the Legal Profession 2023 115 (2023).
- 11 This attorney-registration data includes attorneys living and working both in and out of state.

- 12 *See* Attachment 3 to review the number of attorneys per 1000 residents for all 105 counties.
- 13 Map created through the collaboration of the Deason Criminal Justice Reform Center at the SMU Dedman School of Law, the University of Kansas Institute for Policy & Social Research, the Kansas Board of Indigents' Defense Services, and the Office of Judicial Administration for the Kansas Supreme Court. Do not copy/reuse without attribution.
- 14 Map created through the collaboration of the Deason Criminal Justice Reform Center at the SMU Dedman School of Law, the University of Kansas Institute for Policy & Social Research, the Kansas Board of Indigents' Defense Services, and the Office of Judicial Administration for the Kansas Supreme Court. Do not copy/reuse without attribution.
- 15 U.S. Bureau of Labor Statistics, Labor Force Statistics from the Current Population Survey, <https://www.bls.gov/cps/cpsaat11b.htm> (last visited Jun. 22, 2024).
- 16 Map created through the collaboration of the Deason Criminal Justice Reform Center at the SMU Dedman School of Law, the University of Kansas Institute for Policy & Social Research, the Kansas Board of Indigents' Defense Services, and the Office of Judicial Administration for the Kansas Supreme Court. Do not copy/reuse without attribution.
- 17 Map created through the collaboration of the Deason Criminal Justice Reform Center at the SMU Dedman School of Law, the University of Kansas Institute for Policy & Social Research, the Kansas Board of Indigents' Defense Services, and the Office of Judicial Administration for the Kansas Supreme Court. Do not copy/reuse without attribution.
- 18 Map created through the collaboration of the Deason Criminal Justice Reform Center at the SMU Dedman School of Law, the University of Kansas Institute for Policy & Social Research, the Kansas Board of Indigents' Defense Services, and the Office of Judicial Administration for the Kansas Supreme Court. Do not copy/reuse without attribution.
- 19 Newly admitted attorneys in Kansas graduated from a total of 161 different law schools between 2018 and 2023.
- 20 ABA, Profile of the Legal Profession 2023 41 (2023).
- 21 An attorney's student loan debt may include undergraduate debt, law school debt, and debt for any other degrees the individual may have obtained. While a bachelor's degree and a Juris Doctor or Bachelor of Laws degree are required to practice law in Kansas per Kansas Supreme Court Rule 711, some individuals also obtain additional degrees such as master's degrees.

- 22 Tiffane Cochran, et al., Student Debt: The Holistic Impact On Today’s Young Lawyer 4 (ABA Young Lawyers Division & AccessLex Institute Center for Legal Education Excellence [2021]), *available at* https://www.americanbar.org/content/dam/aba/administrative/young_lawyers/2021-student-loan-survey.pdf (last visited Jun. 24, 2024).
- 23 Tiffane Cochran, et al., Student Debt: The Holistic Impact On Today’s Young Lawyer 4 (ABA Young Lawyers Division & AccessLex Institute Center for Legal Education Excellence [2021]), *available at* https://www.americanbar.org/content/dam/aba/administrative/young_lawyers/2021-student-loan-survey.pdf (last visited Jun. 24, 2024).
- 24 Tiffane Cochran, et al., Student Debt: The Holistic Impact On Today’s Young Lawyer 8 (ABA Young Lawyers Division & AccessLex Institute Center for Legal Education Excellence [2021]), *available at* https://www.americanbar.org/content/dam/aba/administrative/young_lawyers/2021-student-loan-survey.pdf (last visited Jun. 24, 2024).
- 25 Tiffane Cochran, et al., Student Debt: The Holistic Impact On Today’s Young Lawyer 8 (ABA Young Lawyers Division & AccessLex Institute Center for Legal Education Excellence [2021]), *available at* https://www.americanbar.org/content/dam/aba/administrative/young_lawyers/2021-student-loan-survey.pdf (last visited Jun. 24, 2024).
- 26 In Survey responses, 218 rural Kansas attorneys said that the question, “*What type of salary structure do you provide to new attorneys at your firm?*”, applied to them. Of this group, 53% said that the new attorney’s salary is either wholly or somewhat dependent upon the business brought in by the new attorney.
- 27 National Association of Law Placement, *Jobs & J.D. ’s: Employment and Salaries of New Law Graduates — Classes of 2002-2022*.
- 28 ABA, Employment Summary for 2022 Graduates: University of Kansas 1 (2002), *available at* <https://law.ku.edu/sites/law/files/documents/aba-required-disclosures/employment-summary-2022.pdf> (last visited Jun. 24, 2024).
- 29 ABA, Employment Summary for 2022 Graduates: Washburn University 1 (2002), *available at* https://www.washburnlaw.edu/career/statistics/_docs/ABAEmploymentSummary-2022grads.pdf (last visited Jun. 24, 2024).
- 30 National Association of Law Placement, *Jobs & J.D. ’s: Employment and Salaries of New Law Graduates — Classes of 2008-2022*.
- 31 National Association of Law Placement, *Jobs & J.D. ’s: Employment and Salaries of New Law Graduates — Class of 2022* 125.
- 32 National Association of Law Placement, *Jobs & J.D. ’s: Employment and Salaries of New Law Graduates — Class of 2022* 123.
- 33 National Association of Law Placement, *Jobs & J.D. ’s: Employment and Salaries of New Law Graduates — Class of 2022* 110.

- 34 Dr. Jennifer Bacani McKenney, MD, Associate Dean for Rural Medical Education, KU School of Medicine, Family Physician Fredonia Family Center, Addressing Rural Health Workforce Challenges, Address to the Rural Justice Initiative Committee (Jun. 9, 2023).
- 35 Dr. Jennifer Bacani McKenney, MD, Associate Dean for Rural Medical Education, KU School of Medicine, Family Physician Fredonia Family Center, Addressing Rural Health Workforce Challenges, Address to the Rural Justice Initiative Committee (Jun. 9, 2023).
- 36 Dr. Jennifer Bacani McKenney, MD, Associate Dean for Rural Medical Education, KU School of Medicine, Family Physician Fredonia Family Center, Addressing Rural Health Workforce Challenges, Address to the Rural Justice Initiative Committee (Jun. 9, 2023).
- 37 *See* K.S.A. 2023 Supp. 76-382.
- 38 *See* K.S.A. 2023 Supp. 76-381, 2023 Supp. 76-383, & 2023 Supp. 76-384.
- 39 *See* K.S.A. 2023 Supp. 76-385.
- 40 *See* K.S.A. 2023 Supp. 76-381, 2023 Supp. 76-383, & 2023 Supp. 76-384.
- 41 *See* K.S.A. 2023 Supp. 76-382(d).
- 42 *See* K.S.A. 2023 Supp. 76-4,112.
- 43 *KSU College of Veterinary Medicine, Veterinary Training Program for Rural Kansas: Hearing on H.B. 2605 Before Sen. Comm. on Ag. & Natural Resources, 2021-2022 Legislative Session 1 (2022) (Dr. Brad White, Professor, Kansas State University College of Veterinary Medicine).*
- 44 *KSU College of Veterinary Medicine Veterinary Training Program for Rural Kansas: Hearing on H.B. 2605 Before Sen. Comm. on Ag. & Natural Resources, 2021-2022 Legislative Session 1 (2022) (Dr. Brad White, Professor, Kansas State University College of Veterinary Medicine).*
- 45 *KSU College of Veterinary Medicine Veterinary Training Program for Rural Kansas: Hearing on H.B. 2605 Before Sen. Comm. on Ag. & Natural Resources, 2021-2022 Legislative Session 1 (2022) (Dr. Brad White, Professor, Kansas State University College of Veterinary Medicine).*
- 46 *See* K.S.A. 2023 Supp. 76-4,112.
- 47 *See* K.S.A. 2023 Supp. 76-4,112.
- 48 *See* K.S.A. 2023 Supp. 76-4,112.

- 49 *See* K.S.A. 2023 Supp. 76-4,112.
- 50 SDCL § 16-23-1.
- 51 *See* SDCL § 16-23-2.1, SDCL § 16-23-2.2, & SDCL § 16-23-11.
- 52 Greg Sattizahn, State Court Administrator, South Dakota Unified Judicial Center, The Rural Attorney Recruitment Program in South Dakota, Address to the Rural Justice Initiative Committee (Oct. 13, 2023).
- 53 Greg Sattizahn, State Court Administrator, South Dakota Unified Judicial Center, The Rural Attorney Recruitment Program in South Dakota, Address to the Rural Justice Initiative Committee (Oct. 13, 2023).
- 54 SDCL § 16-23-4.
- 55 SDCL § 16-23-2.1 & 16-23-2.2.
- 56 SDCL § 16-23-3.
- 57 Greg Sattizahn, State Court Administrator, South Dakota Unified Judicial Center, The Rural Attorney Recruitment Program in South Dakota, Address to the Rural Justice Initiative Committee (Oct. 13, 2023).
- 58 Greg Sattizahn, State Court Administrator, South Dakota Unified Judicial Center, The Rural Attorney Recruitment Program in South Dakota, Address to the Rural Justice Initiative Committee (Oct. 13, 2023).
- 59 Greg Sattizahn, State Court Administrator, South Dakota Unified Judicial Center, The Rural Attorney Recruitment Program in South Dakota, Address to the Rural Justice Initiative Committee (Oct. 13, 2023).
- 60 Greg Sattizahn, State Court Administrator, South Dakota Unified Judicial Center, The Rural Attorney Recruitment Program in South Dakota, Address to the Rural Justice Initiative Committee (Oct. 13, 2023).
- 61 State of North Dakota Courts, *Rural Attorney Recruitment Program*, <https://www.ndcourts.gov/rural-attorney-recruitment-program#eligibleLawyers> (last visited Jun. 24, 2024).
- 62 Kansas Department of Health and Environment, *Kansas State Loan Repayment Program Overview and Application Guidance 3*, available at <https://www.kdhe.ks.gov/DocumentCenter/View/853/Overview-and-Application-Guidance-PDF> (last visited June 24, 2024).

- 63 Kansas Department of Health and Environment, *Kansas State Loan Repayment Program Overview and Application Guidance 3*, available at <https://www.kdhe.ks.gov/DocumentCenter/View/853/Overview-and-Application-Guidance-PDF> (last visited Jun. 24, 2024).
- 64 Kansas Department of Health and Environment, *Kansas State Loan Repayment Program Overview and Application Guidance 4*, available at <https://www.kdhe.ks.gov/DocumentCenter/View/853/Overview-and-Application-Guidance-PDF> (last visited Jun. 24, 2024).
- 65 U.S. Department of Health & Human Services, *State Loan Repayment Program Notice of Funding Opportunity Fiscal Year 2022 3*, available at <https://nhsc.hrsa.gov/sites/default/files/nhsc/loan-repayment/bhw-hrsa-22-048-h56-slrp-final.pdf> (last visited Jun. 24, 2024).
- 66 National Health Services Corps, <https://nhsc.hrsa.gov/> (last visited Jun. 24, 2024).
- 67 Health Resources & Services Administration, *HRSA Fact Sheet: FY 2023 — Kansas 3* (2023).
- 68 Sebastian Negrusa, et al., *National Health Service Corps – An Extended Analysis 21* (2016), available at <https://aspe.hhs.gov/sites/default/files/private/pdf/255496/NHSCanalysis.pdf> (last visited Jun. 24, 2024).
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- 70 Health Resources & Services Administration, *Bureau of Health Workforce Clinician Dashboard*, <https://data.hrsa.gov/topics/health-workforce/clinician-dashboards> (last visited Jun. 24, 2024).
- 71 Health Resources & Services Administration, *Bureau of Health Workforce Clinician Dashboard*, <https://data.hrsa.gov/topics/health-workforce/clinician-dashboards> (last visited Jun. 24, 2024).
- 72 Of the rural Kansas attorneys surveyed, 488 responded to the question of “*Including yourself, how many attorneys work in your primary office?*”
- 73 See Office of the Surgeon General, *Our Epidemic of Loneliness and Isolation* (2023), available at <https://www.hhs.gov/sites/default/files/surgeon-general-social-connection-advisory.pdf> (last visited Jun. 24, 2024).
- 74 See Conference of Chief Justices & Conference of State Court Administrators, *Resolution 1: In Support of Establishing the Working Committee on Legal Education and Admissions Reform (CLEAR)* (2023), available at https://ccj.ncsc.org/__data/assets/pdf_file/0027/93429/RESOLUTION-1-CLEAR.pdf (last visited Jun. 24, 2024).

- 75 *Kansas to Offer NextGen Bar Examination Beginning July 2028*, Kansas Judicial Branch (Feb. 22, 2024), available at <https://www.kscourts.org/Newsroom/News-Releases/News/2024-News-Releases/February-2024/Kansas-to-offer-NextGen-bar-examination-beginning> (last visited Jun. 24, 2024).
- 76 Letter from Hon. Debra L. Stephens, Chief Justice of Washington State Supreme Court to Stephen R. Crossland, Chair Limited License Legal Technician Board, et al. (Jun. 5, 2020) available at https://www.abajournal.com/files/Stephens_LLLT_letter.pdf (last visited Jun. 24, 2024).
- 77 ACJA § 7-210.
- 78 Colorado Supreme Court, Office of Attorney Regulation, *Frequently Asked Questions About Licensed Legal Paraprofessionals (LLPs)*, https://coloradosupremecourt.com/Future%20Lawyers/FAQ_LL.P.asp (last visited Jun. 24, 2024).
- 79 For example, in Salt Lake City, Kayak Court is held along the Jordan River and canoes, kayaks, and bicycles are used to bring court to people. Salt Lake City, *Justice Court*, <https://www.slc.gov/courts/community-and-homeless-outreach-courts/kayak-court/> (last visited Jun. 24, 2024). In Tennessee, their Supreme Court has launched the Justice Bus, which offers a cargo van outfitted with technology such as computers, tablets, a printer, WiFi, and more along with lawyers and other volunteers to provide on-the-spot access and legal assistance wherever needed. Justice for All, A Tennessee Supreme Court Initiative, Justice Bus, <https://justiceforalltn.org/justice-bus/> (last visited June 24, 2024).
- 80 Kansas Department of Commerce, KANSASWORKS Mobile Workforce Center, <https://www.kansascommerce.gov/program/workforce-services/kansasworks-mobile-workforce-center/> (last visited Jun. 24, 2024).
- 81 Kansas Department of Commerce, KANSASWORKS Mobile Workforce Center, <https://www.kansascommerce.gov/program/workforce-services/kansasworks-mobile-workforce-center/> (last visited Jun. 24, 2024).
- 82 *See* Kansas Judicial Council, *Legal Forms*, <https://www.kansasjudicialcouncil.org/legal-forms> (last visited Jun. 24, 2024).
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- 90 <https://www.washburnlaw.edu/news/2016/10/RuralInitiative.html>.
- 91 The Kansas Sampler Foundation, *The Action Report: Kansas Power Up & Go 2* (2021), available at https://kansassampler.org/images/assets/PUG_FinalReport_05-21_2.pdf (last visited Jun. 24, 2024).
- 92 Calculations based upon data from attorney registration statistics and U.S. Census Data for Kansas. See U.S. Census Bureau, QuickFacts: Kansas (2023), <https://www.census.gov/quickfacts/fact/table/KS/PST045223#PST045223> (last visited Jun. 22, 2024).

