



The Kansas Rural Justice Initiative Committee Report

Kansas Rural Justice Initiative Committee

- Established December 1, 2022
- Created through Administrative Order 2022-CM-081
- Divided Into Three Subcommittees
 - Information Gathering and Data Collection
 - Attorney Recruitment and Retention
 - Judicial, Legislative, and Community Initiatives and Solutions

Committee Members—Judicial Branch

- Justice K.J. Wall, Kansas Supreme Court, chair
- Judge Kim R. Schroeder, Kansas Court of Appeals
- Chief Judge Daniel D. Creitz, 31st Judicial District
- Chief Judge Kevin Berens, 15th Judicial District
- Chief Judge Lori Bolton Fleming, 11th Judicial District
- District Judge Tom Drees, 23rd Judicial District
- District Judge Richard Marquez, 25th Judicial District
- District Magistrate Judge Regine Thompson, 12th Judicial District

With staff support from:

- Laurel Klein Searles, Chief of Attorney Services and Compliance
- Marisa Bayless, Special Counsel to the Chief Justice
- Shelley Sutton, Director of CLE & Attorney Registration
- Lana Goetz, Director of Education

Committee Members—Legislative & Executive Branches



- Senator Elaine Bowers, District 36
- Representative Tory Marie Blew, District 112
- Trisha Purdon, Office of Rural Prosperity, Kansas Department of Commerce, Coffeyville

Committee Members—Education Leaders

- Stacey Blakeman, Assistant Dean of Career Services University of Kansas School of Law, Lawrence
- Shawn Leisinger, Associate Dean for Centers and External Programs, Externship Director, Rural Programs Director Washburn University School of Law, Topeka
- Wendy Rohleder-Sook, Assistant Professor of Political Science and Director of Pre-Law/Legal Studies Fort Hays State University, Hays

Committee Members—Community Leaders

- Alan Cobb, Kansas Chamber of Commerce, Topeka
- Shirley Fessler, Director of Outreach and Accessibility, Kansas Coalition Against Sexual and Domestic Violence, Topeka
- Wendee D. Grady, Assistant General Counsel and Director of Legal Foundation, Kansas Farm Bureau, Manhattan
- Marilyn Harp, Executive Director (ret.), Kansas Legal Services, Topeka
- Joshua Ney, Jefferson County Attorney, Oskaloosa
- Ann Sagan, Director of Special Projects for the Kansas Board of Indigents' Defense Services, Topeka
- Brien Stockman, Attorney and Dane G. Hansen Foundation Trustee, Logan

Committee Members—Rural Attorneys

- Stephen B. Angermayer, Attorney, Pittsburg
- Paige Bangerter, Attorney, Dodge City
- Ashley D. Comeau, Attorney, Plainville
- Aaron Cunningham, Attorney, Hays
- Timothy Demel, Attorney, Beloit
- Joslyn Kusiak, Attorney, Independence
- Angela Meyer, Attorney, Pittsburg
- Charles Peckham, Attorney, Atwood
- David J. Rebein, Attorney, Dodge City
- Sally Shattuck, Attorney, Ashland
- Etta L. Walker, Attorney, Sharon Springs



What is rural?

Rural Kansas includes all counties but Douglas, Johnson, Sedgwick, Shawnee, and Wyandotte.

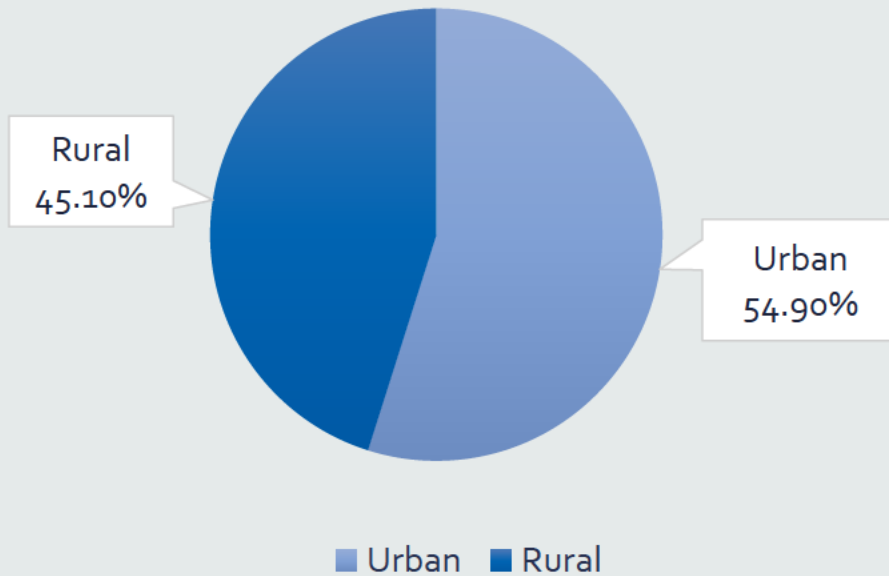
What did we do?

- Examined existing census, demographic, and attorney registration data.
- Conducted a state-wide survey of rural attorneys with a statistically significant response rate.
- Completed listening tours led by panels of practicing rural attorneys, rural judges, and community leaders in Great Bend, Dodge City, and Pittsburg.
- Performed law student focus group discussions and interviews at KU Law and Washburn Law.
- Collaborated with Deason Criminal Justice Reform Center at SMU Law and the KU Institute for Policy & Social Research to refine our data and perform GIS mapping.
- Brought in program directors to learn more about existing initiatives targeting shortages of licensed professionals in rural communities.

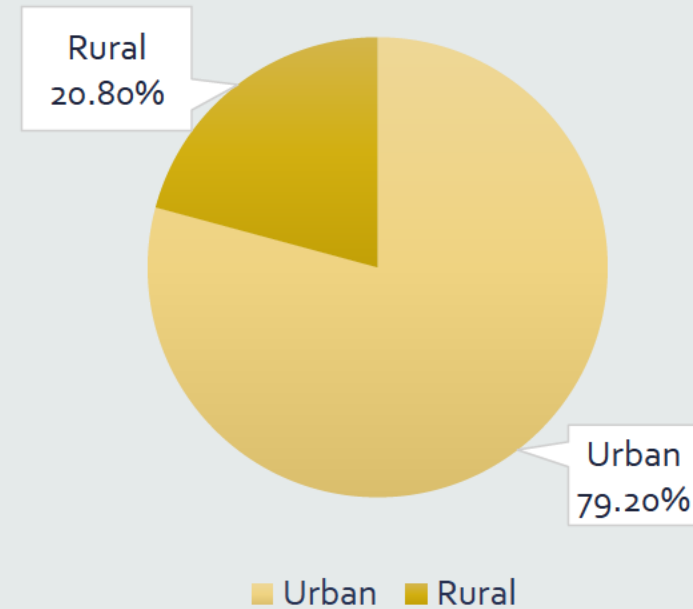
So, what did we learn?

Kansas Population and Attorney Distribution

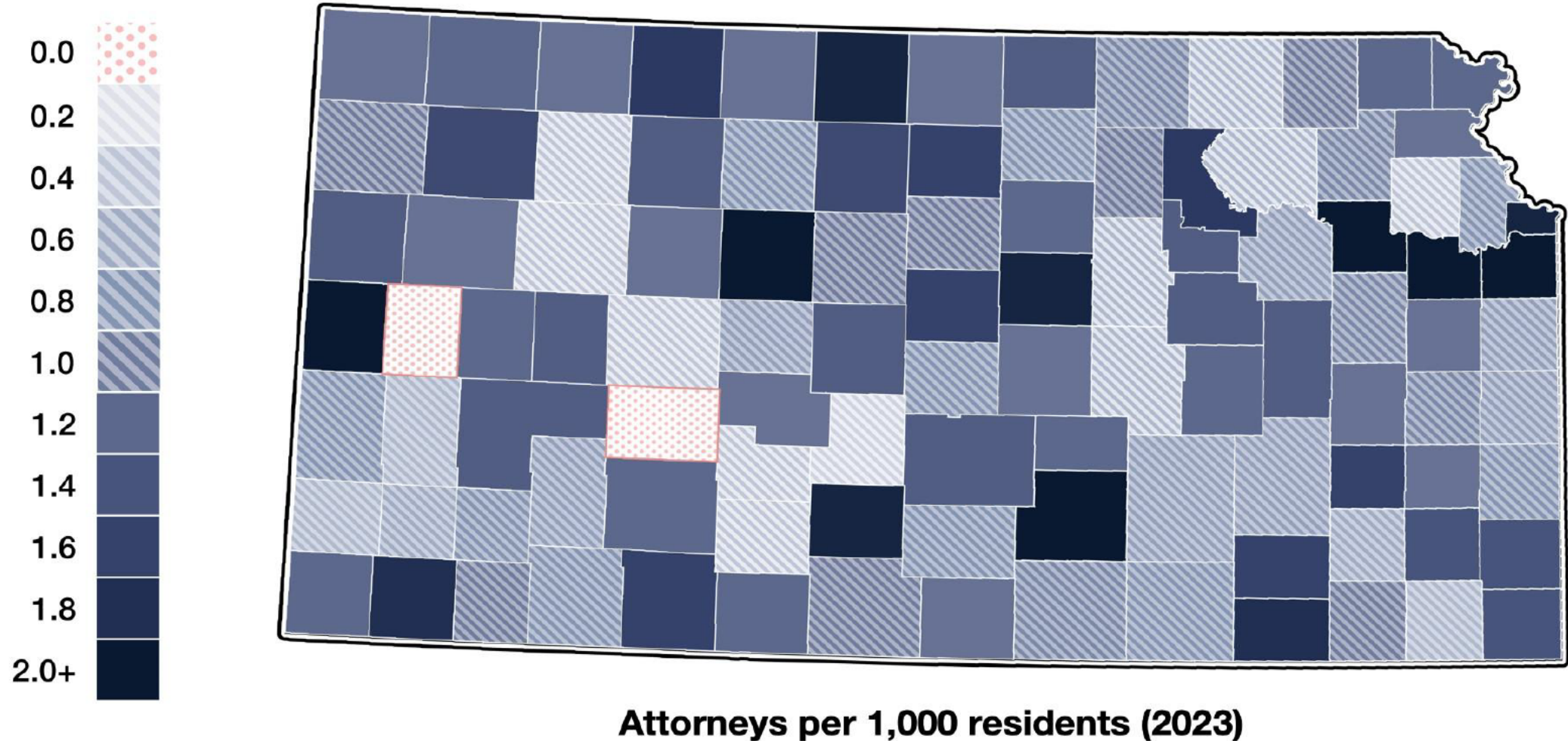
Kansas Population



Active Attorneys Residing in Kansas

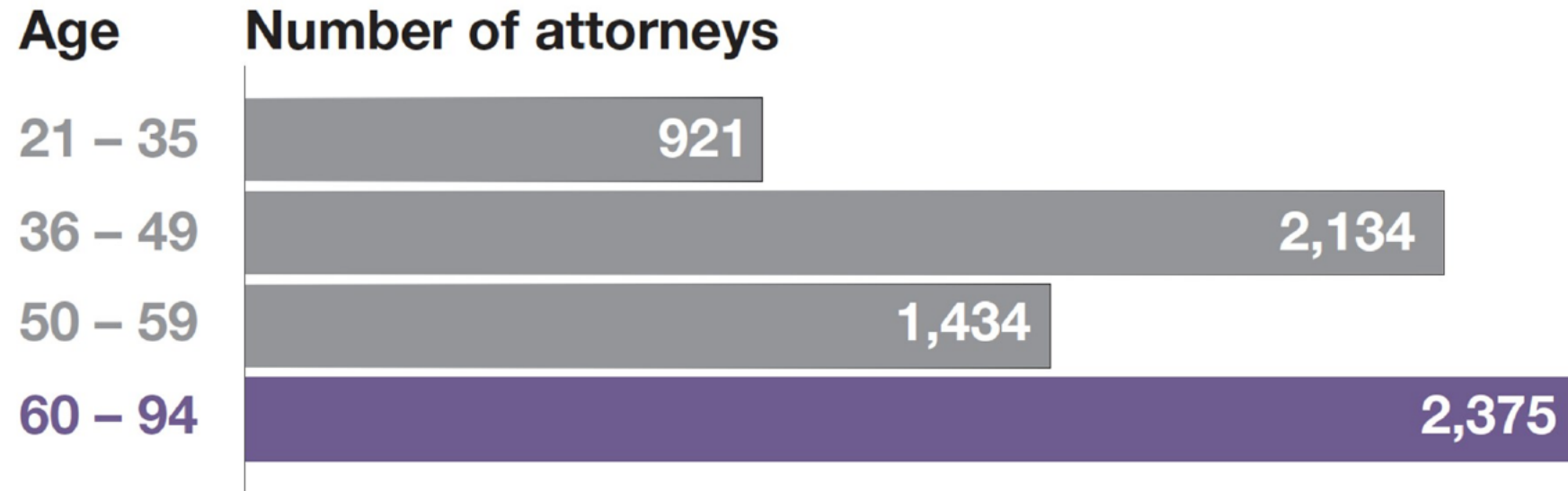


47 counties are legal deserts, and 2 counties have no attorneys.



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

Nearly 1/3 of Kansas attorneys are over 60 years old.

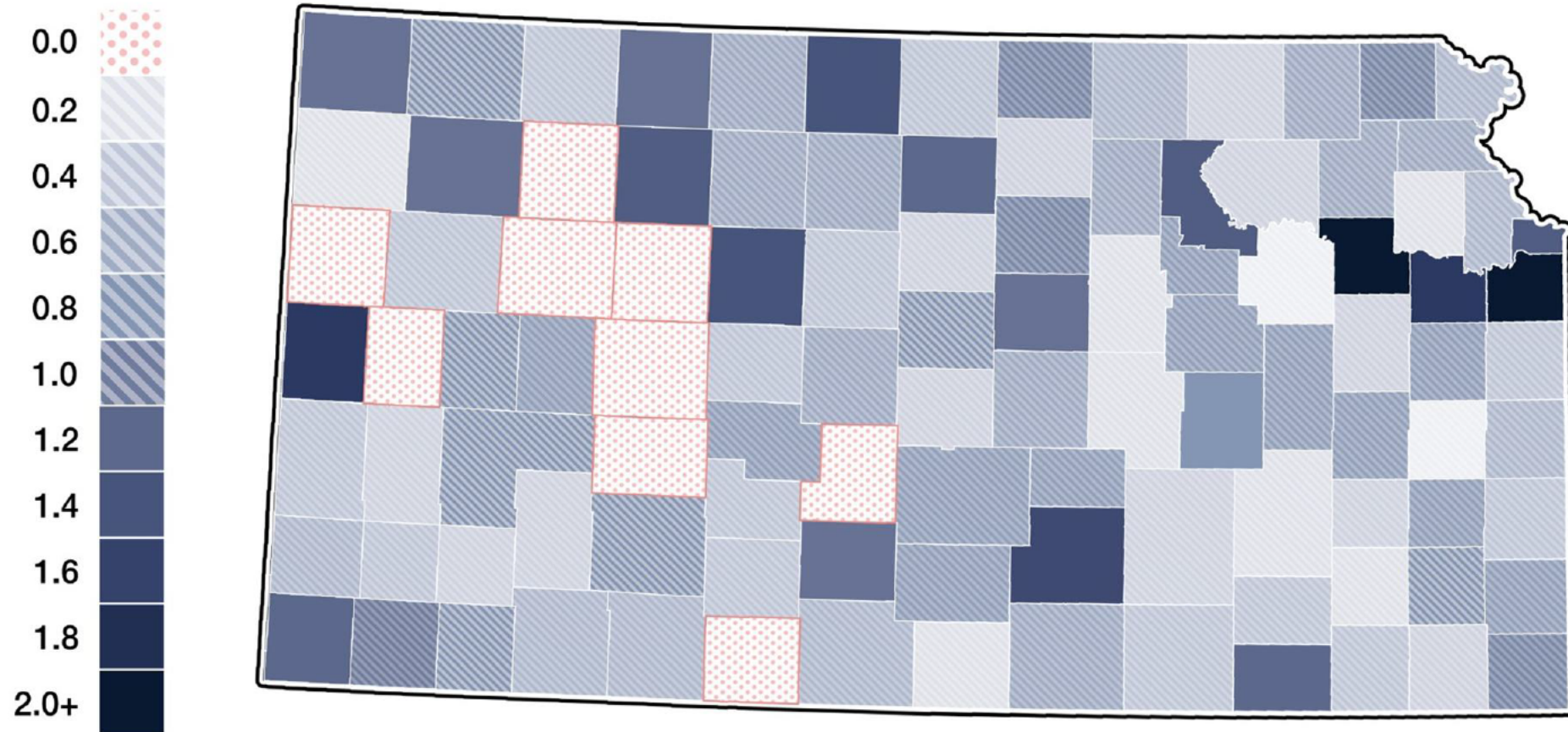


Source: Deason Criminal Justice Reform Center/KU Institute for Policy & Social Research

Median Age of Attorneys

United States	46
Kansas	51
Urban Kansas	51
Rural Kansas	55

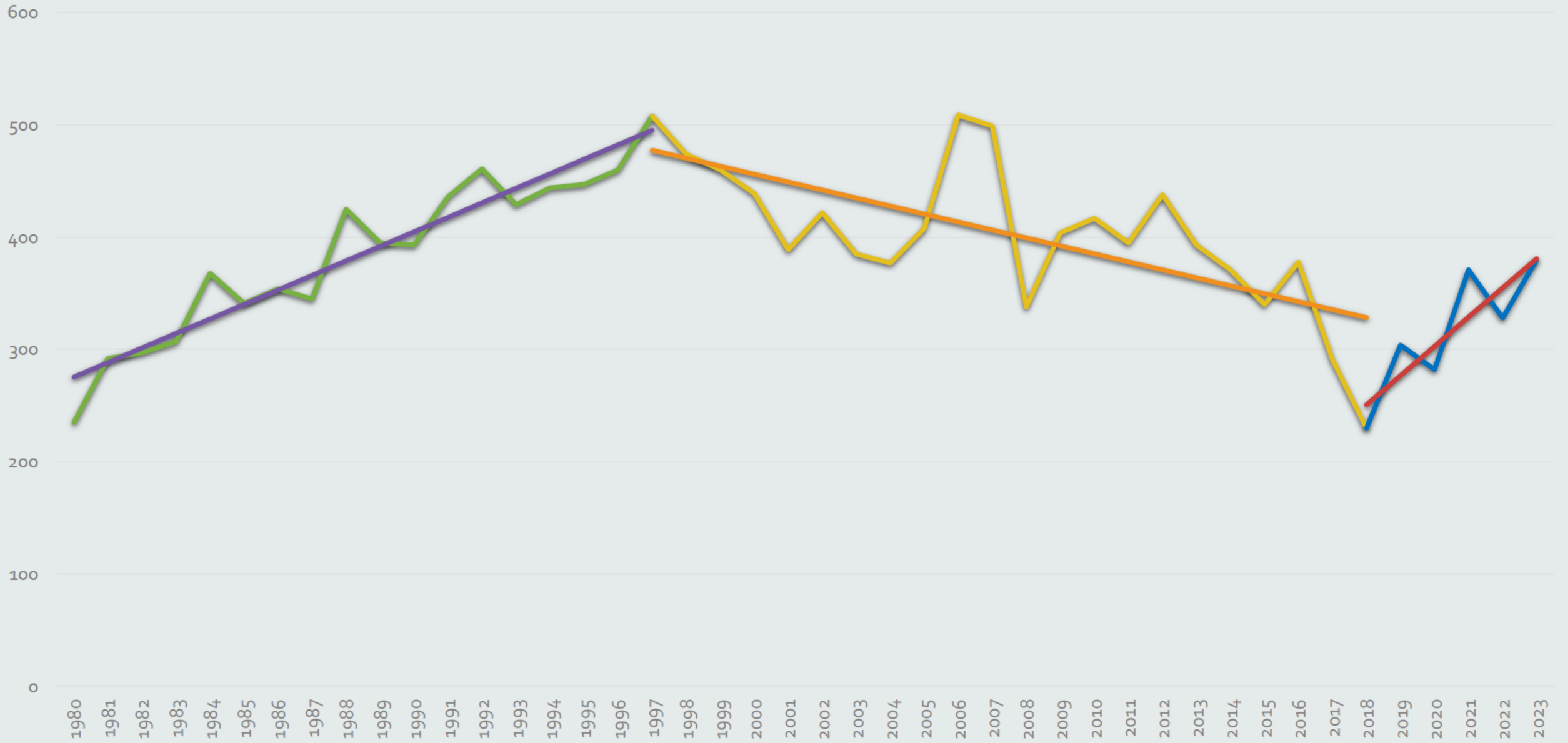
If you removed attorneys over the age of 60, 87 counties would be legal deserts and 9 counties would have no attorneys.



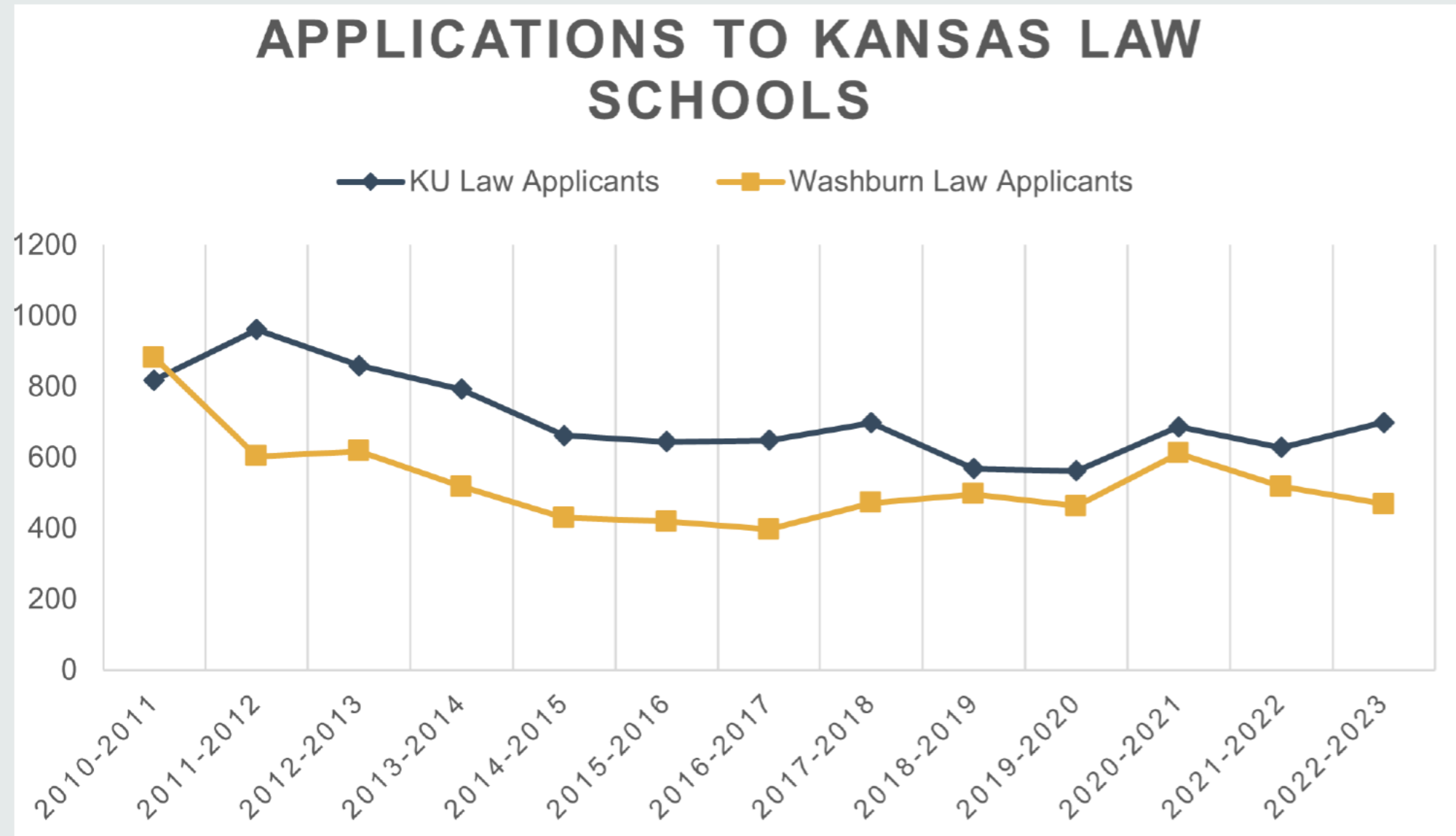
**Attorneys per 1,000 residents
(with attorneys over age 60 removed)**

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

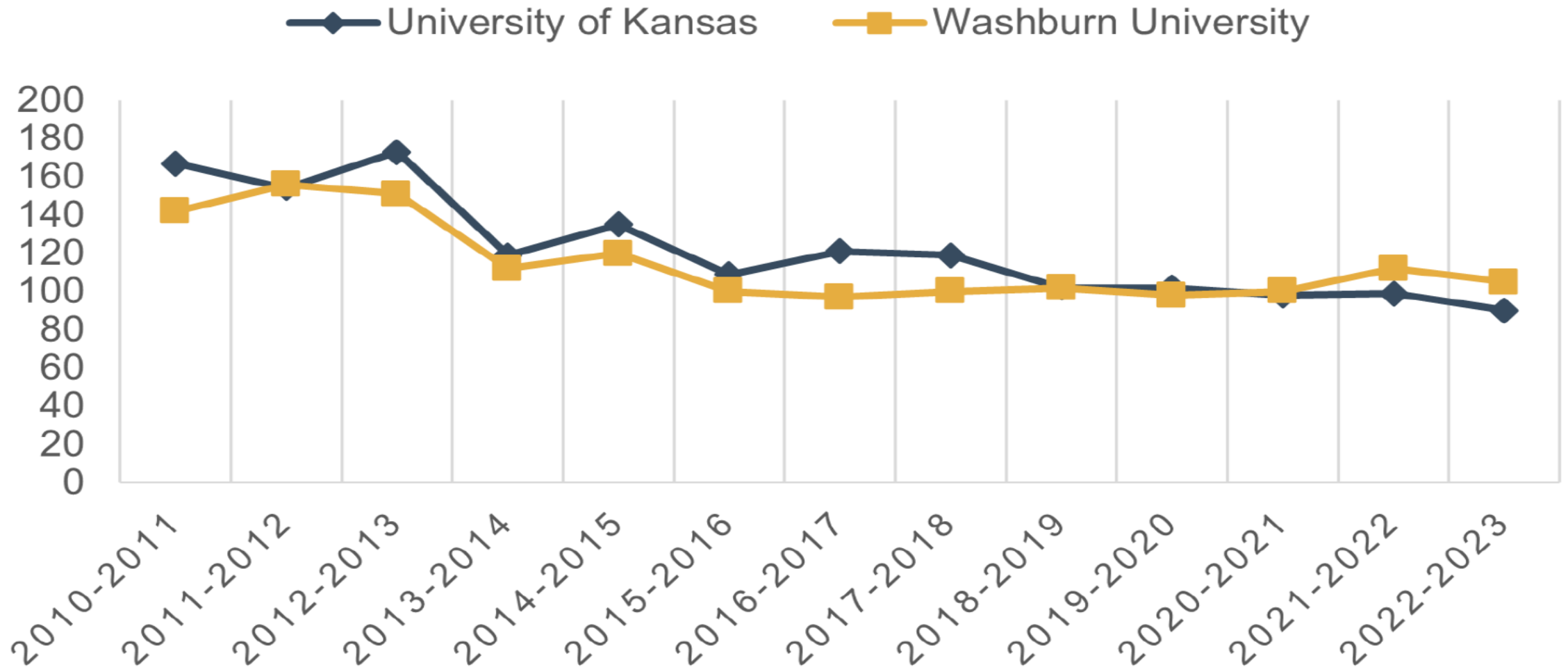
Number of Attorneys Admitted in Kansas



Decline of Applications



KANSAS LAW SCHOOL GRADUATES



Why does it matter?

➤ **Rural attorneys are important to the economic viability of communities.**

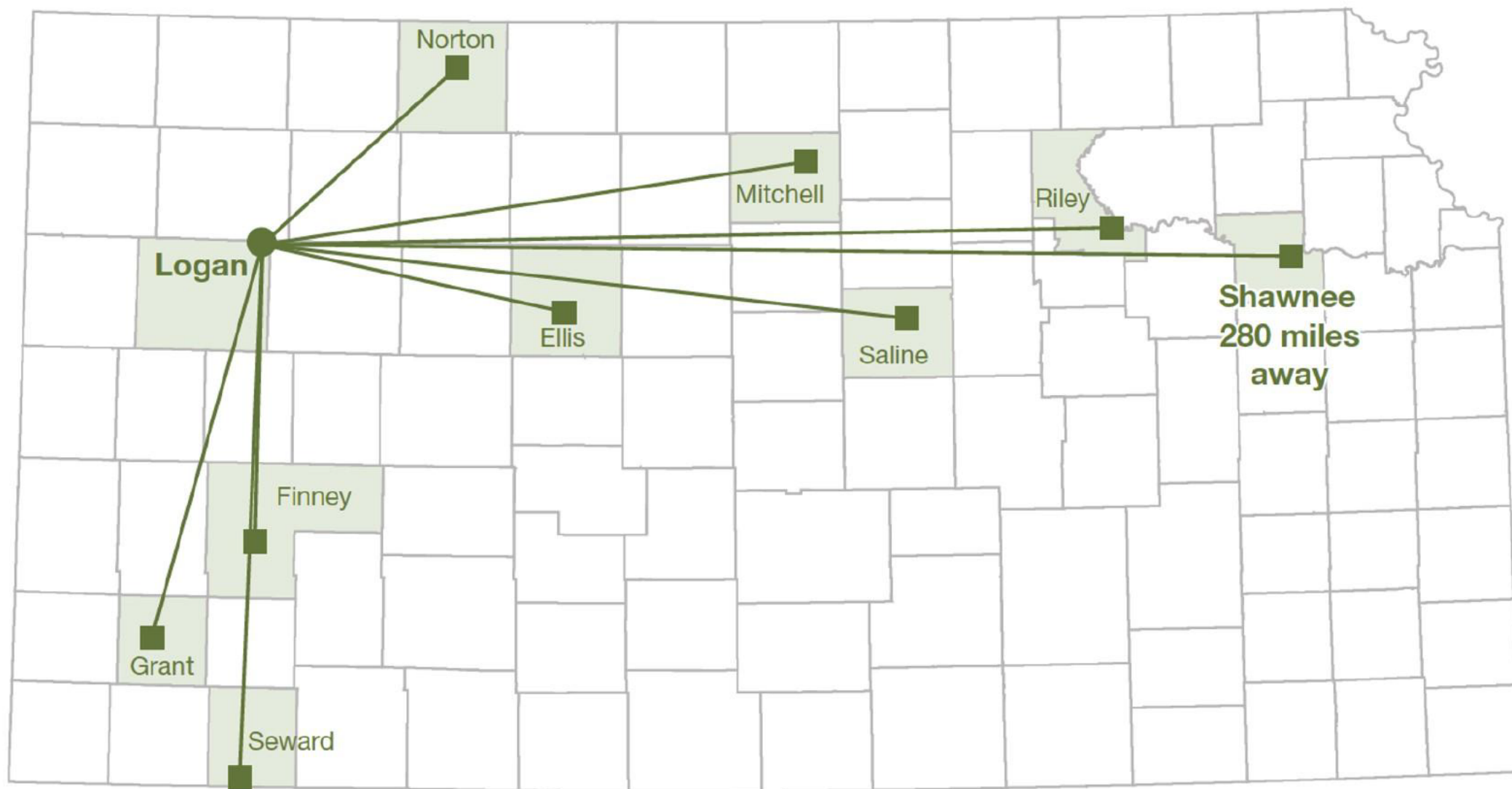
- Help businesses sustain and grow their operations.
- They are also employers.
- And commonly invest in other economic ventures.

➤ **Rural attorneys are important to the social fabric of the community.**

- They serve on boards for organizations essential to the community's well-being.
- Their skills are well-suited to assist in economic development grants and initiatives.

➤ **Rural attorneys help us fulfill our Constitutional duties—a function unique to this profession.**

- Persons charged with a felony offense have a right to counsel under the United States and Kansas Constitutions.
- This right includes a right to have the court appoint counsel if the defendant cannot afford an attorney.
- The Legislature has recognized the same right to counsel in many other cases like juvenile, child-in-need-of-care, civil commitment, habeas corpus, and extradition proceedings.
- So, our chief judges must appoint counsel in many of their cases.
- And they face serious challenges finding qualified counsel.
- Causes delay and threatens our ability to uphold this Constitutional duty.



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

Identified Barriers



Financial



Practice



Cultural

Financial Barriers

- ☐ Education debt
- ☐ Employment rate and earnings
- ☐ Benefits



Education Debt

- 74% of rural attorneys graduated with some student loan debt.
- More rural attorneys are borrowing money to finance their education.
 - Only 26% of rural attorneys who graduated before 1980 had student loan debt.
 - Whereas 93% of rural attorneys who graduated after 2011 graduated with student loan debt.
- The amount of money that rural attorneys are borrowing is significantly higher than in prior years.
 - Rural attorneys graduating before 1980 averaged \$12,200 in total debt.
 - Rural attorneys graduating after 2011 averaged a total education debt of \$124,614.

Employment Rate and Earnings

- The employment rate for the class of 2022 was the highest since 1987 at 92.1%, and KU and Washburn both exceeded this rate with KU's class at 97.9% and Washburn's class at 92.9%.
- National law firm salaries for the class of 2022 averaged \$145,400, and overall starting salaries for the class of 2022 averaging \$116,400 nationally. In Kansas, we fell short for the class of 2022 with the average law firm salary at \$78,864, and the average overall salary for the class of 2022 being \$73,003.
- Rural Kansas attorneys graduating after 2021 reported a mean salary of \$59,000.

Lack of Benefits in Rural Kansas Law Firms

Percentage of Firms Offering Employment 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%
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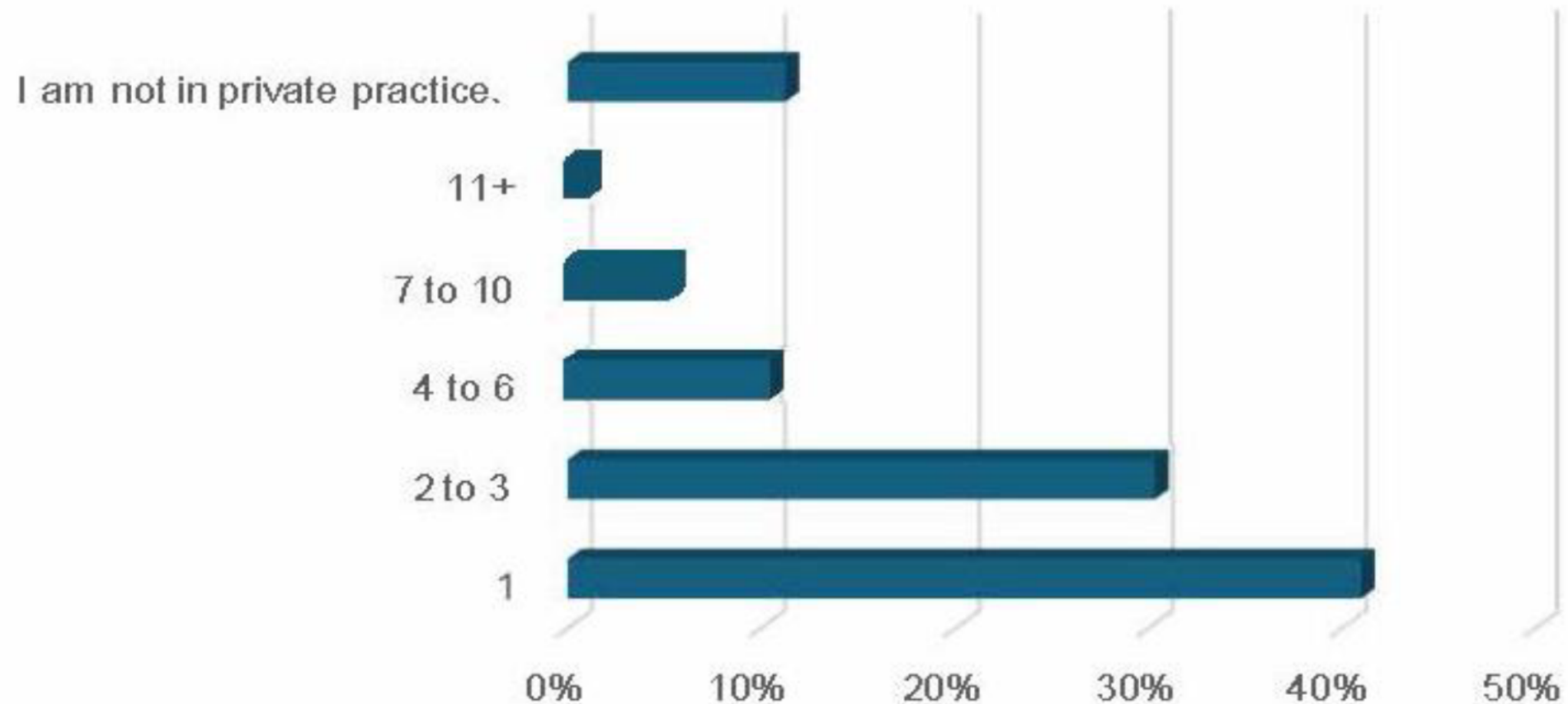


Practice Barriers

- ❑ Professional isolation and mentorship
- ❑ Business management
- ❑ Challenges and gaps in recruitment
- ❑ Myths about available work

Professional Isolation

Size of Law Firms and Law Offices in Rural Kansas



The Administrative Side of A Law Practice

Rural Kansas attorneys spend a great deal of time managing their business and working on other non-legal tasks each week.

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%

Challenges and Gaps in Recruitment

- Law students reported a lack of rural firms at on-campus-interviews.
- Attorneys practicing in rural law firms noted the significant time and resource investment necessary to participate in on-campus-interviews with little return.



Misperceptions About the Availability and Type of Work

- Because law students are not being exposed to the realities of rural practice, they often do not know that there is a diverse, intellectually challenging, and profitable work available to them in rural Kansas.
- 57% of rural Kansas attorneys turn away clients 1 to 5 times per week; 24% of rural attorneys turn away clients 6 to 10 times per week.
- The most common reasons given for turning away clients are (1) the issue is outside the attorney's area of expertise, (2) lack of time to handle the issue, and (3) conflict of interest.

Practice Areas for Rural Kansas Attorneys

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%

Area of Law	Percent of Attorneys
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 Law	8%

Cultural Barriers

- ❑ Macro economic issues
- ❑ Cultural myths



Macro Economic Issues

Law students at both KU and Washburn identified a lack of resources as a significant barrier to practicing in rural Kansas.

- Housing
- Childcare
- Healthcare
- Education
- Amenities and Leisure Activities
- Other Professionals

Attorneys share these concerns with all rural Kansans.



Cultural Myths

- Many young rural Kansans have been told that to be successful they need to leave their home community and pursue a profession elsewhere. We must redefine this definition of success.
- Law students report that when they express an interest in rural practice they are asked why or told they are too smart for rural practice. We must stop sending the message that rural Kansas is less than.

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.

RECOMMENDATIONS 5 - 7

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

RECOMMENDATIONS 8 - 10

- 8: The Kansas Supreme Court should encourage pre-law programming and rural outreach efforts at Kansas universities.
- 9: The Kansas Supreme Court should support opportunities for outreach in rural Kansas communities during law school.
- 10: The Kansas Supreme Court should encourage rural attorneys to collaborate with other professionals in grassroots efforts to support and sustain Kansas communities.

“There will come a time when you believe everything is finished. Yet that will be the beginning.”

—Louis L’Amour



Questions

info@kscourts.org

<https://kscourts.gov/About-the-Courts/Court-Administration/Committees/Kansas-Rural-Justice-Initiative-Committee>