

DATE: February 10, 2025

TO: Sen. Renee Erickson, Chair, and Members of the Senate Committee on Government Efficiency

FROM: Stacey Blakeman

SUBJECT: Senate Bill No. 99

Chairwoman Erickson and members of the committee,

My name is Stacey Blakeman, and I was raised in Kansas, attended law school in Kansas, and am an attorney licensed in this state. This testimony is offered in my personal capacity as a private citizen in opposition of Senate Bill No. 99. My testimony is not given in my capacity as an employee of the University of Kansas and does not represent the views of the University of Kansas School of Law, the University of Kansas, or the Kansas Board of Regents.

I currently hold the role of the Assistant Dean of Career Services at the University of Kansas School of Law and have a specialized perspective on legal recruiting timelines and law student employment trends. The 180-day time frame proposed in SB 99 should not be applied to attorney positions due to the unique nature of attorney recruiting, particularly as it pertains to third-year law students.

Legal Recruiting Timeline

Law students face a unique path to post-graduate employment, and the timeline for post-graduate legal hiring is accelerated compared to other industries. The legal market has grown especially competitive in recent years, and employers have responded by hiring earlier and earlier. This includes both private and public interest employers. Public interest is an umbrella term that covers non-private organizations such as government agencies, public defense, prosecution, judicial, and legal services organizations; the state agencies named in SB 99 fall into the public interest category.

In response to accelerated recruiting, more and more third-year students (called 3Ls) are securing post-graduate employment before graduation. While employers recruit throughout the August-to-May academic year and beyond, many employers extend full-time post-graduate job offers to students before their third year even begins, including some Kansas state agencies. Under SB 99, several 3Ls I know with positions lined up with state agencies would lose their jobs.

Bar Examination Timeline

SB 99 is impractical for attorney positions because of the timeline of the bar examination. The majority of law school graduates take the bar exam, a requirement to becoming a licensed attorney. The bar exam is only offered twice a year: in February and in July, typically on the last Tuesday and Wednesday. This is consistent in all states nationwide.

A traditional May graduate sits for the July bar exam, and scores are shared in the months after. If a graduate earns a passing score, they will then be sworn in to the bar as a licensed attorney and can begin practicing law. Most recently, people who took the 2024 Kansas bar exam on July 30-31 received their scores around September 6. The Kansas Supreme Court held the New Attorney Swearing-In in Topeka on September 27, which means May 2024 law school graduates could practice law as of the afternoon of September 27. Many employers do not have graduates' start dates begin until after bar passage results are announced which pushes start dates to mid-September. Under SB 99, graduates with positions lined up with state agencies would lose their jobs because of this timeline.

The stakes are very high for bar takers because failing the bar exam can delay a legal career by months. Nevertheless, SB 99 would essentially require May 2025 law school graduates to begin working in June as a legal intern or other non-attorney role or risk losing their job. This is not viable because working during bar preparation is largely discouraged. Studying for the bar exam is highly demanding, requiring intense focus and a structured schedule. As a result, bar prep courses require a large time commitment; most recommend studying 40-60 hours per week for 8-10 weeks. This rigorous preparation schedule plus working another job is incompatible with bar exam success. Finally, asking graduates to begin work early will cost the state more money versus keeping the positions open until bar passage and swearing in.

Job Search Implications

SB 99 would be a detriment to attorney recruitment and retention in Kansas by giving the perception that Kansas agency positions are unstable and unsupported, and this will likely lead to many Kansas law students deciding to start their careers by practicing law out of state. Specifically, I see a possibility that students will react to SB 99 by shifting their job search from Kansas to Missouri. Employment stability is important for 3Ls in particular because of the bar exam; the application process is complicated, expensive, and intensive. The earlier a student knows in which state they are practicing after graduation, the earlier they can apply to take the relevant bar exam.

Many students came to law school knowing they wanted to work for the state government or another public interest organization, and I worry that SB 99 could have long-term harm on law student perceptions of working for the state of Kansas. If there is a perception that Kansas agency jobs are unstable or unsupported, those students will focus their job searches on opportunities in Missouri and other states. I believe this will create unintended long-term effects on attorney recruitment and retention in Kansas; for example, if a student looks for post-graduate state agency work in Missouri, they will take the Missouri bar exam, and if they leave their state agency position, they will likely move to a private firm on the Missouri side because they are already licensed there.

Because of KU's proximity to the Kansas City Metropolitan Area, I am also familiar with the legal market on the Missouri side and know that Missouri state agencies hire according to an accelerated timeline as well and are currently hiring for post-graduate positions.

SB 99 will adversely impact the statewide efforts to increase attorney recruitment and retention in rural communities in Kansas. Public interest employers including agencies covered by SB 99

have longstanding challenges meeting the legal needs of Kansans outside of the five most populous counties. SB 99 will be another barrier to Kansans' access to rural justice.

In summary, I oppose SB 99 because of unintended consequences that will harshly affect law students and Kansas state agencies seeking to fill attorney positions.

Thank you for your time, and I am available for any questions from the committee.

Stacey L. Blakeman, J.D.
slkblake@gmail.com

