Protecting the Public Interest Pipeline — Engaging Law Students during COVID-19

By Tiffany Y. Tsao, Pro Bono Manager
Legal Aid Foundation of Los Angeles

Summer 2020 is unfamiliar in countless ways. Over the course of a few weeks this past March, existing plans to work in an office, attend events, and sit across from a client began to unravel. Pro bono staff at legal services organizations across the nation grappled with creating new ways to engage volunteers as client access and staff workflows changed shape. And time ticked on, bringing summer law clerks and volunteers to our virtual doorsteps.

But, where do those doorsteps lead to now? How will future attorneys gain experience and create connections to shape their professional values and practices from home? These questions do not just belong to current law students; they belong to the entire legal community. Public interest organizations, law firms, corporations, law schools, fellowship programs, bar associations and affinity groups — we must all adapt to protect the public interest pipeline.

What is the public interest pipeline? The term “pipeline” is broadly used to describe a combination of strategic partnerships aimed at connecting program participants with targeted support and resources with the goal of addressing a social need through individual learning and success. Those of us in legal services may be most familiar with pipelines in the form of programs such as pre-law fellowship programs, law school public interest scholarships, and postgraduate fellowships.

The public interest pipeline is the connection between supporting and nurturing a student’s ability to participate in pro bono projects in legal services as a student and success in engaging in public interest employment or pro bono work as private practitioners. For students in law school now and those who will enter in the years to come, our collective attention to supporting their success is as important as ever.

Why is the public interest pipeline important? In 2016, the nation averaged less than one civil legal aid attorney available to help every 10,000 Americans living in poverty. As we now face the highest national unemployment rate since the Great Depression and law students contemplate the viability of becoming successful lawyers, those of us on the other side of the bar exam must move with urgency to encourage their participation in public interest law as a way to prevent further widening of the justice gap.

Existing studies have shown that law students who work at legal services agencies during law school are more likely to secure positions at legal services agencies as attorneys. Despite the “public interest drift” that can occur when law students intending to pursue public interest work decide not to over the course of their law school studies, the strongest predictor of a student staying the course is a public interest internship. As many as 74% of attorney respondents to one survey of legal services attorneys shared that they had interned with their current employer or another legal aid organization as students, highlighting just how important early connections can be.

Development of student relationships is also important in strengthening the public interest pipeline with pro bono attorneys. Though private sector
In such uncertain times, this indication of the power of a pipeline to pro bono services is encouraging and preserving it is essential.

As legal aid advocates, we also know that direct client work is not the only way to promote positive change in our communities and that those who drive change forward do not just fall into the above two categories. Movements are made through shared understandings, commitments, and collaborative action. The impact of students being exposed to legal services clients and a variety of poverty law issues is itself critical to the public interest pipeline. As a practical matter, decisions as to future funding opportunities and technology, both essential to expanding our operational capacity, are made by and with those attorneys too.

What has been the effect of COVID-19 on the public interest pipeline?

Summer 2020 has been characterized by ebbs and flows. In the wake of a rising number of confirmed cases of the novel coronavirus this spring, public interest and private sector legal employers balanced maintaining organizational operations with health and safety concerns. Those who could do so took shelter at home and those who could not do so faced increased risk of exposure and loss. Each day seemed to bring news of dramatic changes affecting clients and consequently, imminent changes and challenges to staffing during the pandemic. Within a short period of time, normal work operations changed, forcing organizations to look to expanding technology and making significant changes to traditional workflows for internal staff and the expected summer volunteers. Certain responsibilities for staff and volunteers no longer existed.

Seemingly out of nowhere, the security of both staff and student positions across the legal profession waived, law school on campus hiring programs were postponed, and students everywhere re-evaluated their options. We saw this at our own organization as prior student roles quickly changed. In one nationwide survey of over 1,700 current law students, 63% indicated COVID-19 had disrupted their internship/career plans. To help alleviate pressures, the law school community held trainings on remote supervision and adapted summer funding requirements to facilitate support to both employers and students. But, the ripple effects of community office and court closures still loomed.

As quickly as new challenges arose, a swell of support did as well. In California, OneJustice, a statewide support center, mobilized to convene stakeholders and facilitate exchanges of information. Coming together made it clear that all members of the legal services community faced similar challenges in adapting student volunteer work and many would make decisions to administer virtual programs and delay or reduce program dates and hours in an effort to remain responsive to public health updates. These concerns were certainly felt at the Legal Aid Foundation of Los Angeles (LAFLA), as we wrestled with retooling plans for summer students.

Pro bono partners at law firms, corporations, and bar associations also reached out to connect law students to legal services. With 64% of big law firms shortening their traditional summer associate programs by several weeks and the majority moving forward with virtual programs, our pro bono partners bolstered their own support by adding that of their law students.

With an increase in the number of available student volunteers and a temporary but simultaneous decrease in traditional legal services law clerk responsibilities, the challenge of engaging law students took a new form and still threatens to derail the public interest pipeline.
How can legal services help protect the public interest pipeline during COVID-19?

One of the steps legal services organizations can take now to help protect the public interest pipeline is committing to development of new student pro bono programs that will allow students to remotely connect to and support the communities we serve. The work we have done to adapt to changes over the course of the past few months has launched us into embracing models of virtual community service. Though virtual volunteering cannot replace in-person engagement, there has never been a better time to strengthen social innovation and technology tools within our organizations. If we are successful, we can not only preserve opportunities for law students to work with legal services during COVID-19, but also amplify the impact they make on the public interest pipeline for years to come.

Collaboration in developing innovative and technology-based projects is essential to closing the justice gap. Below, there are descriptions of two new program models LAFLA developed with our partners for our volunteers this summer. These projects are unique in that they can incorporate multiple groups of volunteers and be scaled to include varying levels of participation and commitment.

Without yet knowing for certain what the outcomes of these projects will be, I share them in the hope that they may help organizations evaluate examples of new programs.

Model 1: Training Development Project

The Pro Bono Training Institute11 (PBTI) is a collaboration between LAFLA and OneJustice. PBTI is a free online learning platform housing a library of over 140 training courses developed over the last five years that focus on legal issues that affect our client communities. PBTI's approach to training creation combines adult-learning best practices with the expertise of legal services attorney trainers. However, as the library grew and the pandemic spurred a host of novel legal issues requiring virtual training support, the challenge of making updates to existing trainings became increasingly daunting.

This summer, PBTI introduced the “Summer Training Project,” a law student training development project that provides participants with exposure to training in both adult-learning best practices and an area of public interest law. Before launching this project, PBTI surveyed legal services organizations throughout California to assess community training priorities and subsequently asked interested pro bono managers to rank their areas of interest. Students were then connected to PBTI staff and assigned an existing PBTI training to update, with the support of virtual training and online materials.

A number of legal services organizations have agreed to have their summer law students participate, and the group is currently updating 19 distinct training courses across five course categories. By the end of the summer, these students will have worked to identify substantive elements of poverty law issues and necessary updates, drafted a memorandum to an expert legal services trainer, and coordinated directly with both PBTI staff and a legal services attorney about their work.

The project aims to expand the impact of PBTI by partnering with its intended users to inform and execute sweeping updates to the existing training library and raise awareness of the value of online legal services trainings designed for adult-learning. It also provides law student volunteers with connections to potential mentors and employers. PBTI saw the Summer Training Project as a way for summer law students to be remotely exposed to important legal areas that affect the community. This project empowers students to be part of protecting the public interest pipeline by sharing their perspectives in building trainings for potential pro bono attorneys across the state.

Model 2: Document Automation Project

In response to an increase in virtual clinics, LAFLA is in the process of developing our first virtual revised hackathon. Through the Legal Tech for a Change12 initiative, LAFLA has partnered with Documate,13 a document automation platform whose origins are rooted in legal aid.

Document automation can significantly increase the flexibility and efficiency of service delivery, as interactive online questions are mapped to connect to sections of commonly used legal documents. Dorna Moini, CEO and Founder of Documate and LAFLA Associates Advisory Board Member, brings her invaluable experience with in-person hackathons and document automation to this collaborative project. As a first step, LAFLA practice groups have created a set of pro bono projects by identifying documents that are high-impact, in that they are either used in an existing clinic or anticipated to be in high need as courts re-open.

Once the scope of each specific project is finalized, LAFLA will connect staff leads with teams comprised of a combination of law firm attorneys and summer
associates, and each team will be provided with train-
ings, materials, and access to Documate accounts. Depending on the level of difficulty of the project, teams will have anywhere between one week to three weeks to conduct legal research, create online ques-
tionnaires, and map the flow from a potential client’s answer to specific fields on the corresponding legal document, with the help of both LAFLA and Docu-
mate experts. Throughout this process, students will learn about specific legal issues and available remedies, experiment with modern tools of service delivery, and gain a sense for how these critical pieces work together in practice.

Our hope is that the project will culminate in a virtual presentation by participating teams, so staff and pro bono partners alike can see completed tools and the volunteers who made them. This project aims to establish connections across practices and increase our flexibility in exploring new client and volunteer points of access. If it is successful, the project will support the public interest pipeline by expanding the type and number of volunteer opportunities and strengthen LAFLA’s ability to quickly acclimate to evolving service conditions in the future.

Making new paths

Like many others who were catapulted into design-
ing remote work for volunteers, LAFLA is new to this, and we look forward to learning from others as we innovate to adapt to the effects of COVID-19. Undoubtedly, other organizations have crafted novel projects during this time and as the shock of change begins to subside, we can all benefit from the exchange of ideas and resources.

In this moment, while advocates and partners across all legal organizations and sectors focus on new ways to serve the most vulnerable members of our communities, I ask that we reinforce our commitment to making new paths for current and future law students as well, engaging them to help lay the foundation for those who follow. In order to protect the public interest pipeline, we must remain vigilant in cultivating connections with future advocates with the hope that one day we will be able to open our virtual and physical doors.

1 Tiffany Y. Tsao is the Pro Bono Manager at the Legal Aid Foundation of Los Angeles (LAFLA). She oversees student volunteer programs and fellowships at LAFLA and co-directs the Pro Bono Training Institute, a collabora-
tive online learning platform that connects expert legal services trainers to existing and potential volun-
teers. Tiffany is also an Advisory Board Member of the Legal Education Access Pipeline (LEAP) and a former Assistant Director of Career Development at the University of California, Irvine School of Law. Tiffany may be reached at ttsao@lafla.org.

2 The use of the term “pipeline” varies across industries and is commonly used in the legal industry to describe targeted efforts to increase access. This definition captures two pipelines for purposes of this article: the pipeline from law school to a legal services career and the pipeline from pro bono student work to pro bono attorney work.


4 Legal Aid Association of California; Carmody and Asso-
ciates, 2020, p. 68.

5 Standing Committee on Pro Bono & Public Service and the Center for Pro Bono, 2018, pp.21-23.

6 See id., pp. 19-20

7 Marshall Ganz, “Leading Change: Leadership, Organiza-
tion, and Social Movements,” in Handbook of Leadership Theory and Practice: A Harvard Business School Centen-


10 NALP, 2020, pp. 16-17.

11 The Pro Bono Training Institute (pbtraining.org) was made possible by the Legal Services Corporation’s Pro Bono Innovation Fund.

12 Legal Tech for a Change is a partnership between the Legal Services Corporation and the American Bar Association providing free technology products and services to legal aid offices that help low-income Californians. It is spearheaded by the ABA Center for Innovation. (http://legaltechforachange.org/)

13 Documate is a document automation platform and participant in the Legal Tech for Change project. (https://www.documate.org/)
More than 2.5 million people live in the area served by Legal Aid of Southeastern Pennsylvania. Nearly 1 in 3 people in the US has a criminal record, *U.S. Dept. of Justice, Bureau of Justice Statistics, Survey of State Criminal History Information Systems*, 2008, NCJ 228661 (Oct. 2009), at 3, and Pennsylvania is well above the national average, see https://www.prisonpolicy.org/profiles/PA.html#:~:text=State%20Profiles%20-%20Pennsylvania,-Pennsylvania%20profile,than%20many%20wealthy%20democracies%20do. Twenty-eight percent of Pennsylvanians live below 200% of the federal poverty level, see https://www.kff.org/other/state-indicator/distribution-by-fpl/?currentTimeframe=0&sortModel=%7B%22colId%22:%22Location%22,%22sort%22:%22asc%22%7D

PA passed Act 5 in 2016, enabling some low level misdemeanor convictions to be sealed. In 2018 Pennsylvania’s Clean Slate law expanded what records could be sealed by petition and created the first in the nation automated record sealing program.

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(National Center for Access to Justice at Fordham Law School, 2016).

(Legal Aid Association of California; Carmody and Associates, 2020), p. 68.

(Standing Committee on Pro Bono & Public Service and the Center for Pro Bono, 2018), pp.21-23.

See id., pp. 19-20


(Los Angeles Times Staff, 2020).

(Ebadolahi, 2020).

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