

# Law School Incubator Programs: Models and Best Practices

by Katie Dilks

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Amidst growing concerns over the legal labor market, graduating practice-ready lawyers, and access to justice for low- and moderate-income clients, an increasing number of law schools — at least 15 in the past five years — are investing in solo and small firm incubator programs. These programs can take a variety of forms, but generally seek to train and support recent graduates while simultaneously improving access to justice by offering legal services at below standard market rates. I recently spoke with administrators and faculty involved with incubator programs at five different law schools and am excited to offer some helpful hints for anyone exploring the possibility of creating a new program.

## Incubator or Legal Residency?

Most programs can be classified as either a traditional incubator (borrowed from a business school model) or a legal residency (borrowed from a medical school model). Incubators are focused on preparing participants to launch independent solo practices, small firm practices, or nonprofits by the end of their participation, and tend to focus more on training around business development and practice management. On the other hand, a legal residency or school law firm model has a stronger focus on supervision and substantive legal training, and does not necessarily expect that participants will enter solo practice upon completion. In an incubator, participants are not employees of

the school or incubator program, whereas in a residency model they are generally salaried employees of the program. Both models have strengths and weaknesses, though the most dramatic difference is one of cost — a legal residency program has costs more akin to a traditional law school clinic, while an incubator program can potentially be run quite inexpensively.

## Key Components of an Incubator

The specifics of existing incubator programs vary significantly, but most offer the following: free or reduced-rent office space, administrative support, free or reduced-rate malpractice insurance, free or reduced-cost CLE and other training, mentorship, case referrals, and a sense of community and support. Other common aspects include a requirement to provide all or most legal services at an affordable rate, as well as partnerships with local legal aid organizations for training, supervision, and referrals. However, current incubators are split between those with an access-to-justice focus and those focused on supporting more “traditional”

solo and small firm practices charging standard market rates. Most programs are either a year or 18 months long, and while most are restricted to new graduates, others require active bar membership.

## Law School or Bar Foundation?

While law schools have created the majority of incubator programs, the Chicago Bar Foundation and the Columbus Bar Foundation have both recently launched their own programs. Though these programs have not existed long enough to fully illustrate the benefits and drawbacks of programs not run by schools, it seems this approach may work well in cities with particularly active local bar associations, multiple law schools, and a high demand for affordable legal services, where economies of scale can be brought to bear to serve more recent graduates and more clients. Close partnerships between law schools and bar foundations can ensure successful programs by allowing for financial support of the participants and providing shared resources for mentoring, supervision, and training.

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### Suggested Best Practices

In my conversations with those who are establishing and running incubator and residency programs, several common suggestions arose for those considering starting a similar effort. First, everyone I spoke with highlighted the importance of focusing on quality supervision, training, and mentorship. Whether that supervision comes through paid program staff (as in residency

models), partnerships with local legal aid organizations, volunteer senior attorneys, or even prior graduates of the program, it is a critical component to a program’s success.

Another key factor for long-term sustainability is faculty and university support for school-based programs. Faculty buy-in can strengthen connections with existing clinical and academic offerings and provide another source for supervision and mentorship, and

institutional support tends to be critical for long-term financial sustainability (though it may not be necessary to initiate a program).

Finally, setting out with very clear goals is crucial to a program’s success. Is the primary goal to launch solo practitioners? Fill the justice gap? Train high-quality lawyers in a particular area of law? Clearly stated goals will make it easier to monitor and retool to ensure the program is achieving those goals. ■

### Current Programs

Finding an accurate list of current incubator and residency programs is difficult, but here is what I believe to be an up-to-date list of both existing programs and those in development:

#### SCHOOL-BASED INCUBATORS:

- *City University of New York* Incubator for Justice
- *University of Missouri – Kansas City* Solo and Small Firm Incubator
- *Chicago-Kent Law* Solo and Small Practice Incubator

- *Thomas Jefferson School of Law* Center for Solo Practitioners
- *California Western School of Law* Access to Law Initiative
- *Cleveland-Marshall College of Law* Solo Practice Incubator
- *Touro Law School* International Justice Center for Post-Graduate Development
- *Florida International University* LawBridge
- *Whittier Law* Solo and Small Practice Support Program
- *Hofstra Law* Access to Justice Incubator

#### LEGAL RESIDENCIES:

- *University of Utah* University Law Group
- *Arizona State University Sandra Day O’Connor College of Law* Alumni Law Group
- *Pace University* Community Law Practice

#### BAR-SPONSORED INCUBATORS:

- *Chicago Bar Foundation* Justice Entrepreneurs Project
- *Columbus Bar Foundation* Columbus Bar inc

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