

Introduction to Legal Deserts

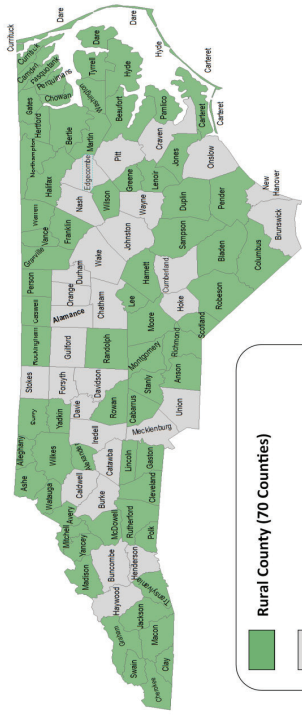
Brian Otten
North Carolina State Bar



Overview: Rural and Urban Populations in North Carolina



North Carolina Rural and Urban Counties



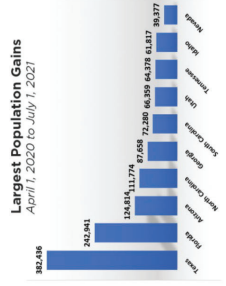
Notes:
 - Rural: defined as a non-metropolitan or non-core metropolitan county.
 - Urban: defined as a central metropolitan county.
 - Data from Federal Office of Management and Budget



Population Growth & Change

Between 2010 and 2020, North Carolina's population grew from 9,535,483 to 10,439,483, an increase of 903,905 or 9.5%. Over this same period, 51 North Carolina counties lost population (for a total combined loss of 147,224) and 49 counties gained population (a total combined gain of 1,051,129).

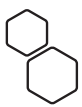
Between the April 1, 2020 Census count and July 1, 2021, North Carolina added 192,000 people, according to the U.S. Census Bureau's latest population estimates (a gain of 1.1%). On July 1, 2021, 10.6 million people were living in North Carolina and the state remained the 9th largest state in the nation.



North Carolina population growth 1990-2035



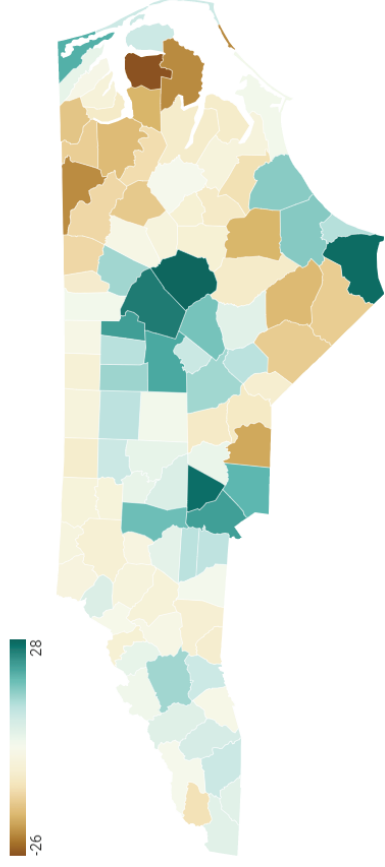
Source: U.S. Census Bureau, NC OSBM



- Sources:
- Office of State Budget and Management (Dec. 22, 2021)
- Carolina Demography, UNC-Chapel Hill (Aug. 12, 2021)

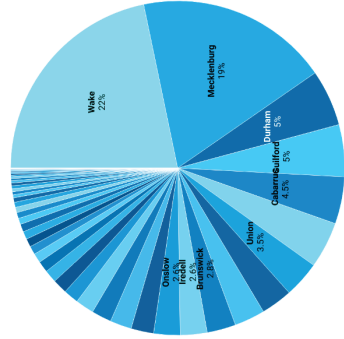
Fastest growth in Triangle, Charlotte, Wilmington

Population growth rate (%) for NC counties, 2010-2020



North Carolina County Population Growth

Population growth by county, 2010-2020

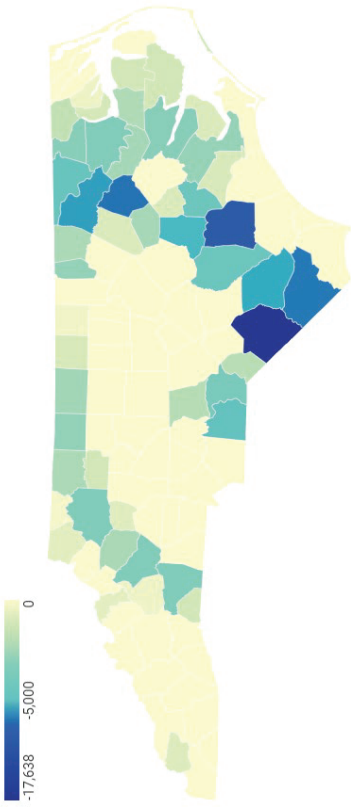


- Wake (22%)
- Mecklenburg (19%)
- Johnston (4.9%)
- Union (2.5%)
- Onslow (2.5%)
- Hammett (1.8%)
- Craven (1.8%)
- Mason (0.9%)
- Randolph (0.2%)
- Madison (0%)
- Durham (5%)
- Guilford (5%)
- Forsyth (3%)
- New Hanover (2.2%)
- Orange (1.5%)
- Chatham (1.2%)
- Cravens (0.6%)
- Haywood (0.3%)
- Pitt (0.2%)
- Stary (0.2%)
- Swain (0%)
- Calden (0%)
- Cabarrus (4.5%)
- Brunswick (2.8%)
- Alamance (1.9%)
- Moore (1.1%)
- Rocky Mt (0.8%)
- Corrback (0.4%)
- Dare (0.3%)
- Watauga (0.3%)
- Blaine (0.1%)
- Wayne (0.1%)
- Cleveland (0.1%)
- Clay (0%)

Population data from the 2020 Census
Source: Carolina Forward - Created with Datawrapper

Largest population losses in Sandhills, Northeast

Numeric change in population for NC counties that lost population, 2010-2020



Map: Carolina Demography • Source: U.S. Census Bureau • Get the data • Download Image • Created with Datawrapper

What is a "legal desert?"



- 1 Mecklenburg
- 2 Washington
- 3 Edgecombe
- 4 Northampton
- 5 Johnston
- 6 Johnston
- 7 Currituck
- 8 Chowan
- 9 Currituck
- 10 Pasquotank

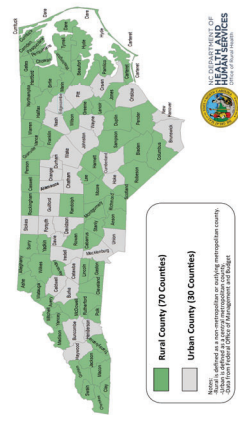


Legal Deserts Defined

A legal desert is an area where there is less than 1 lawyer for every 1,000 residents
48 NC counties qualify as a "legal desert"



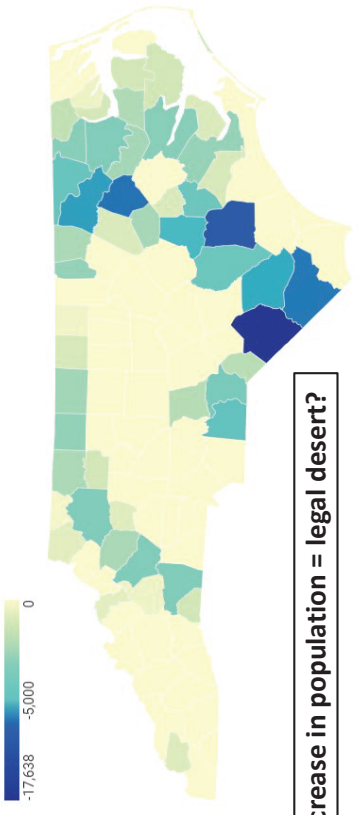
North Carolina Rural and Urban Counties



Notes: Shaded as a non-metropolitan or having non-metropolitan county status. Urban County: Population of 100,000 or more.

Largest population losses in Sandhills, Northeast

Numeric change in population for NC counties that lost population, 2010-2020



Decrease in population = legal desert?

Map: Carolina Demography • Source: U.S. Census Bureau • Get the data • Download Image • Created with Datawrapper

NC Population Growth, 2010-2020

Name	2010 Population	2020 Population	Numeric Change	Growth Rate (%)
North Carolina	9,835,483	10,439,388	983,905	9%
Alamance	151,131	171,415	20,284	13%
Alexander	37,108	36,444	-754	-2%
Allegany	11,155	10,888	-267	-2%
Anson	26,648	22,055	-4,593	-18%
Ashle	27,281	26,577	-704	-3%
Avery	17,797	17,806	9	0%
Beaufort	47,759	44,652	-3,107	-7%
Bertie	21,282	17,834	-3,348	-16%
Bibb	35,199	29,686	-5,584	-16%
Burke	107,431	136,693	29,262	27%
Burcombe	258,418	269,452	11,034	13%
Burke	90,912	87,570	-3,342	-4%
Cabarrus	178,911	225,804	47,793	27%
Calwell	83,029	80,652	-2,377	-3%
Carrden	9,689	10,355	775	4%
Carteret	66,469	67,886	1,217	2%
Caswell	23,719	22,796	-983	-4%
Catawba	154,438	160,610	6,252	4%
Chatham	63,505	76,285	12,780	20%

Map: Carolina Demography • Source: U.S. Census Bureau • Get the data • Created with Datawrapper

NC Population Growth, 2010-2020

Name	2010 Population	2020 Population	Numeric Change	Growth Rate (%)
Cherokee	27,444	28,774	1,330	5%
Chowan	14,793	13,708	-1,085	-7%
Clay	10,882	11,089	202	2%
Cleveland	98,078	99,519	1,441	1%
Columbus	58,098	50,623	-7,475	-13%
Craven	103,505	100,720	-2,785	-3%
Cumberland	319,431	334,728	15,297	5%
Currituck	23,547	28,100	4,553	19%
Dare	33,900	36,915	3,015	9%
Davidson	162,878	168,930	6,052	4%
Dave	47,240	42,772	-4,468	-9%
Durham	58,505	48,715	-9,790	-17%
Durham	267,387	324,833	57,446	21%
Edgecombe	56,552	48,900	-7,652	-14%
Forsyth	350,070	382,590	32,520	9%
Franklin	60,619	68,573	7,954	13%
Gaston	206,086	227,943	21,857	11%
Gates	12,197	10,478	-1,719	-14%
Graham	8,861	8,020	-841	-9%
Granville	50,916	60,992	10,076	20%

Table: Carolina Demography - Source: U.S. Census Bureau - Get the data - Created with Datawrapper

NC Population Growth, 2010-2020

Name	2010 Population	2020 Population	Numeric Change	Growth Rate (%)
Greene	21,382	20,451	-931	-4%
Guilford	488,406	541,209	52,803	11%
Halifax	54,691	48,622	-6,069	-11%
Harnett	114,078	133,568	19,490	17%
Haywood	59,036	62,089	3,053	5%
Henderson	106,740	116,281	9,541	9%
Hertford	24,669	21,852	-2,817	-11%
Hoke	46,532	52,082	5,550	12%
Ivy	5,610	4,589	-1,021	-18%
Jedidiah	159,437	186,693	27,256	17%
Jackson	40,271	43,109	2,838	7%
Johnston	188,878	215,999	27,121	14%
Jones	10,133	9,172	-961	-10%
Lee	57,866	63,285	5,419	9%
Leech	59,495	55,122	-4,373	-7%
Lincoln	78,265	86,810	8,545	11%
McDowell	44,996	44,578	-418	-1%
Mason	33,922	37,014	3,092	9%
Mecklenburg	20,764	21,193	429	2%
Martin	24,505	22,031	-2,474	-10%

Table: Carolina Demography - Source: U.S. Census Bureau - Get the data - Created with Datawrapper

NC Population Growth, 2010-2020

Name	2010 Population	2020 Population	Numeric Change	Growth Rate (%)
Mecklenburg	919,628	1,115,482	195,854	21%
Michell	15,570	14,003	-1,567	-10%
Montgomery	27,798	25,751	-2,047	-7%
Moore	88,247	97,727	9,480	11%
Nash	93,840	94,970	1,130	1%
New Hanover	202,667	225,702	23,035	11%
Northampton	22,099	17,471	-4,628	-21%
Onslow	177,772	204,576	26,804	15%
Orange	133,801	148,696	14,895	11%
Perdoo	13,144	12,276	-868	-7%
Person	40,661	40,368	-293	-0%
Perquimans	52,217	60,203	7,986	15%
Person	13,453	13,005	-448	-3%
Person	39,464	39,097	-367	-1%
Person	168,148	170,243	2,095	1%
Pitt	20,510	19,328	-1,182	-6%
Randolph	141,752	144,171	2,419	2%
Richmond	46,659	42,946	-3,713	-8%
Robeson	134,168	116,530	-17,638	-13%
Rockingham	93,643	91,096	-2,547	-3%

Table: Carolina Demography - Source: U.S. Census Bureau - Get the data - Created with Datawrapper

NC Population Growth, 2010-2020

Name	2010 Population	2020 Population	Numeric Change	Growth Rate (%)
Rowan	138,428	146,875	8,447	6%
Rutherford	67,810	64,444	-3,366	-5%
Sampson	63,431	59,036	-4,395	-7%
Scotland	36,157	34,174	-1,983	-5%
Stanly	60,585	65,504	4,919	8%
Stokes	47,401	44,520	-2,881	-6%
Surry	73,673	71,359	-2,314	-3%
Swain	13,981	14,117	136	1%
Tennessee	33,090	32,886	-204	-0%
Tyrrell	4,407	3,245	-1,162	-26%
Union	201,292	238,267	36,975	18%
Vance	45,422	45,578	156	0%
Wake	900,993	1,129,410	228,417	25%
Warren	20,972	18,642	-2,330	-11%
Washington	13,228	11,003	-2,225	-17%
Watauga	51,079	54,086	3,007	6%
Wayne	122,623	117,333	-5,290	-4%
Wilkes	69,340	65,969	-3,371	-5%
Wilson	81,234	78,794	-2,450	-3%
Yadkin	38,406	37,214	-1,192	-3%
Yancey	17,818	18,470	652	4%

Table: Carolina Demography - Source: U.S. Census Bureau - Get the data - Created with Datawrapper

North Carolina Legal Deserts

- 48 of North Carolina's 100 counties qualify as a legal desert
- 46.7% of active, in-state North Carolina lawyers are in two counties (Wake and Mecklenburg)
 - Wake and Mecklenburg have 21.5% of the total state population
- 63% of active, in-state North Carolina lawyers are in five counties (Wake, Mecklenburg, Guilford, Durham, and Forsyth)
 - Those five counties account for 33.4% of the total state population
- Contrast:
 - Harnett County (1.28% of total state population, or 133,568 people) has 0.43% of lawyer population (109 lawyers)



Are legal deserts a problem?

Access to justice/legal services?



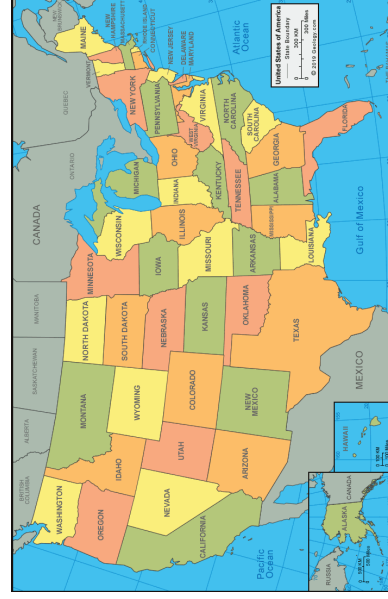
If so, what can be done about it?

What are other states doing about the issue?

Questions

Legal Deserts in North Carolina are not Unique...

Other Jurisdictions' Efforts on Legal Deserts



- A number of other national and state-specific organizations have studied the issue of legal deserts.
- National:
 - Rural Justice Collaborative/National Center for State Courts
 - Legal Services Corporation & Equal Justice Works
 - Rural Summer Legal Corps
- State-specific:
 - Arkansas, Georgia, Illinois, Kansas, Maine, Montana, Nebraska, South Dakota
 - Through bar associations (voluntary) and law schools
- Goals: Create access to legal services in rural areas and/or recruit lawyers to open practices in rural areas.

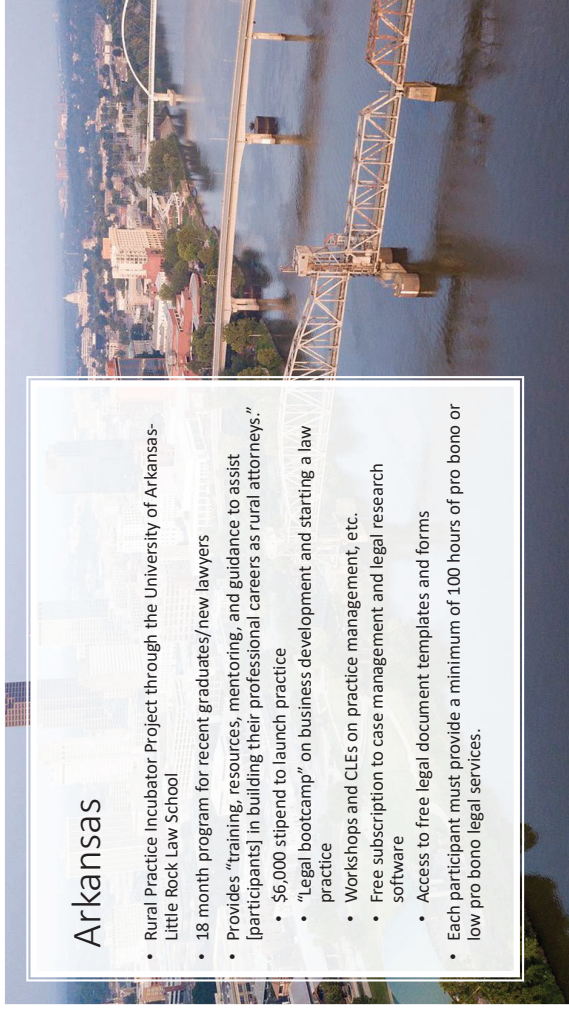
Nationwide Effort: Rural Summer Legal Corps

- Facilitated by Legal Services Corporation & Equal Justice Works
- Connects law students seeking summer internships with different organizations across the country focused on providing legal services to rural communities
- 300 hours over an 8 to 10-week period
- \$5,000 stipend



Arkansas

- Rural Practice Incubator Project through the University of Arkansas-Little Rock Law School
- 18 month program for recent graduates/new lawyers
- Provides "training, resources, mentoring, and guidance to assist [participants] in building their professional careers as rural attorneys."
- \$6,000 stipend to launch practice
 - "Legal bootcamp" on business development and starting a law practice
 - Workshops and CLEs on practice management, etc.
 - Free subscription to case management and legal research software
 - Access to free legal document templates and forms
- Each participant must provide a minimum of 100 hours of pro bono or low pro bono legal services.



Georgia

- Rural Justice Fellowship through University of Georgia Law School
- Funds law students to take summer internships with law practices in rural areas
- \$5,000 stipend for the summer
- Fellow is required to undertake one pro bono matter for a low-income client (under lawyer supervision) during the summer



Illinois

- Rural Practice Fellowship Program through the Illinois State Bar Association
- 2 programs:
 - Summer Fellows Program – connects law students with rural practitioners for summer internships
 - \$5,000 grant and mentoring
 - Rural Practice Associate Fellows Program – places graduating law students and new attorneys as permanent associates with rural practices
 - \$5,000 stipend at start of employment; additional \$5,000 if still working for same firm after 1 year





Kansas

- Rural Practice Initiative through Kansas State University and Washburn University School of Law
- Encourages interest in pre-law undergraduate students to practice in rural areas
- Program provides:
 - Experiential opportunities re: rural practice (mini-lectures, mentoring with rural practitioners, attending law school classes, and taking trips to rural practices)
 - Insight about law school (admissions/qualifications) and transitional support for those entering law school
- Program offers a certificate to students



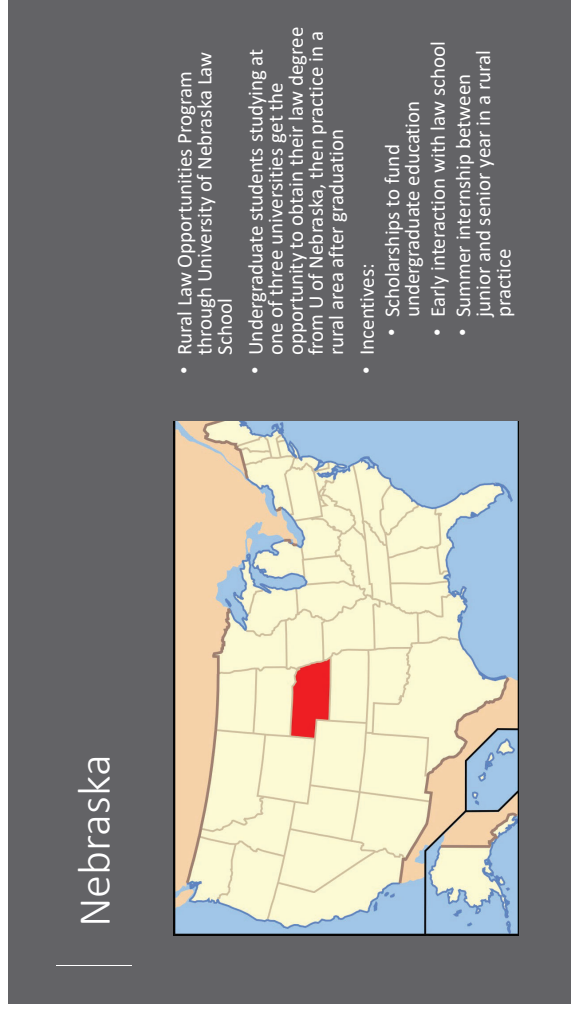
Maine

- Rural Lawyer Project through Maine Law School
- Pairs law students with rural practitioners for a 10-week summer internship
- \$6,000 stipend for 2Ls; \$7,500 stipend for 3Ls



Montana

- Rural Incubator Project for Lawyers through the Montana Legal Services Association
- 24-month program supporting attorneys who are launching new solo/small firms in rural areas
- Participants must provide 25 hours of pro bono and 125 hours of reduced rate services in 1st year (increased to 25 hours pro bono and 225 hours of reduced rate in 2nd year)
- Incentives:
 - \$1,800 loan repayment assistance
 - Free malpractice insurance
 - "Business bootcamp"; CLEs; mentoring
 - Free/discounted case management, legal research, forms/templates
 - Access to space to meet with clients



Nebraska

- Rural Law Opportunities Program through University of Nebraska Law School
- Undergraduate students studying at one of three universities get the opportunity to obtain their law degree from U of Nebraska, then practice in a rural area after graduation
- Incentives:
 - Scholarships to fund undergraduate education
 - Early interaction with law school
 - Summer internship between junior and senior year in a rural practice

South Dakota

- Rural Attorney Recruitment Program through the South Dakota Judicial System and South Dakota State Bar
- Provides lawyers an incentive payment to provide five continuous years of practice in a rural county
 - Annual payment = 90% of one year's resident tuition and fees at the University of South Dakota Law School (2022: \$16,793)
- Funding provided by judicial branch, SD State Bar, and county served
 - County served must agree to pay 35% of the total incentive payment
 - State Bar pays 15%
 - Judicial branch pays the remainder
- Limited to 16 lawyers (no lawyers accepted after June 30, 2022)

Overview of Programs

Recruiting focus:	Lawyers opening rural practices: 4 programs Student (undergraduate and law) internships: 6 programs
Facilitated by:	Educational institutions: 5 programs State Bar Associations/Legal Organizations: 5 programs

Discussion

- Is it appropriate for the North Carolina State Bar to address the issue of legal deserts in the state?
 - Study the issue?
 - Facilitate potential solutions?
- What existing solutions should the subcommittee study?
- What other resources, organizations, etc., should the subcommittee consult on this topic?

Introduction to Legal Deserts

Brian Otten
North Carolina State Bar

