



LEGAL SERVICES GRANT PROGRAMS
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MEMORANDUM

TO: Legal Services Advisory Committee (LSAC) Grantees

FROM: Bridget Gernander, Legal Services Grant Manager

DATE: February 10, 2022

SUBJECT: Civil Legal Services Sector Salary and Turnover Review

For the past several years there have been high-level discussions about the difficulties recruiting and retaining staff to work at civil legal aid programs and the negative impacts the high turnover rate has had on client service. This problem has ballooned into a crisis with the “Great Resignation” and people in all sectors changing jobs at higher rates than before the pandemic. This is a critical moment in time for rethinking what can be done through a Human Resources lens to better stabilize staffing for civil legal aid programs. LSAC is drafting this memo in support of programs undertaking that work.

LSAC has conducted two surveys to collect salary and turnover data from grantees. Results of the survey from November 2020 showed an 18% turnover rate¹ with an average staff attorney starting salary \$50,775. A year later, starting salaries had gone up to \$55,200 (primarily due to a legislative allocation increase for that purpose) but the turnover rate skyrocketed to 37%. We also have reports of a high number of positions remaining vacant because programs are not getting adequate applications. It is very difficult to provide client services in these conditions.

LSAC believes that increasing salaries is a necessary step in addressing this issue. Later in the memo I will address the funding pending at the legislature for this purpose. But LSAC would also like to acknowledge the need for investments in other strategies to increase employee satisfaction and reduce burnout. Ideas being implemented around the country include balancing individual representation with impact case work, community engagement, wellness and other training opportunities, policies that include employee sabbaticals, and other workplace culture changes that prioritize work-life balance.

The committee has heard concerns that implementing these changes to increase salaries and reduce caseloads could lead to fewer clients being served, which could lead to reduced funding, creating an even more vicious cycle. Historically, the civil legal aid mentality has been that we have to do more with less. We know that there are not enough resources to serve every income-eligible client facing civil legal needs and there is a natural resistance to take any steps that would serve even fewer. However, at this moment in time we simply cannot continue in that same mindset. With the high amount of turnover and unfilled positions, we are currently facing the worst-case scenario of serving fewer clients and underpaying rapidly burning out staff.

¹ Turnover rate was calculated by looking at the number of FTE that had left in the two years prior to the survey and dividing it by the total number of FTE at all programs participating in the survey.

LSAC supports changes that prioritize salary and work condition improvements and understands that this could lead to fewer clients served, at least in the short term. The priority needs to be strategic thinking within all civil legal aid organizations about how to best use available resources for sustainable staffing models. We believe improved client service will best flow from improved employee experiences. It is our hope that this memo supports such creative thinking at the Executive Director and Board level across the sector. LSAC will also support creative thinking when defining community-based outcomes beyond the traditional clients served model.

As mentioned above, there is currently \$4.304 million in the Governor's budget that would flow through LSAC under Minn. Stat. §480.242 to support salary increases in FY23. LSAC would need to create a grant application to distribute those funds, both for the 85% and the 15% funding distributions. The legislative session runs through mid-May this year and the turnaround will be very quick. All grantees should be working with their Boards of Directors right now to think about salary structure improvements in the context of other workplace improvements. Your application for funding will be stronger when you have a clear plan for these improvements.

LSAC is currently working on investments in racial fairness training that will support an improved and more equitable work environment. If there are other training or infrastructure investments that can be beneficial across programs, the committee would be happy to consider those requests.