

The Economic Value of Law Clinic Legal Assistance

Each year law school clinics provide free legal assistance to tens of thousands of clients, most of whom would otherwise go unrepresented. The work of clinic students and faculty allows clients to advance or defend their rights or obtain assistance or funds to which they are entitled, assistance that is in many ways invaluable to clients and their communities. While the benefits of clinic work can be difficult to monetize, it is possible to estimate the dollar value of the millions of hours of free legal assistance law clinics provide each year to individuals, governmental agencies, and non-profit organizations. As explained below, law clinic students alone provide tens of millions of dollars in pro bono legal services each year.

During academic year 2020-21, 114,520 J.D. [students were enrolled](#) in ABA-approved law schools.¹ The ABA ceased collecting data on law clinic course enrollment in 2016. But in the six years prior, schools reported that [enrollment each year in their clinics](#) (“seats filled”) was between 85% to 76% of the total number of seats available for enrollment (“seats available”), decreasing in percentage each year from 2011 to 2016.² Because there is no evidence of a noticeable increase in [enrollment in experiential courses](#) since 2016,³ a reasonable assumption is that of the 32,062 reported seats available in 2020-21, around 24,000 students (75% of 32,062) actually enrolled in one of the school’s clinics (21% of all J.D.s). Only a handful of clinics charge a fee for their services and approximately 10% of the clinics in the 2019-20 Center for the Study of Applied Legal Education ([CSALE survey](#)) might assist some for-profit organizations, though even those are generally of limited means.⁴ After excluding those categories of clinic work, it is reasonable to conservatively assume that in 2020-21, approximately 22,000 clinic students provided their free assistance just to individuals, government entities, and non-profits.

The CSALE survey collected information on 950 law school clinics. The median number of credits awarded for just the clinic student’s field or casework (i.e., non-classroom activity) on behalf of clients was 3.5, with each credit representing 42.5 hours of work under the minimum standard set by the ABA. The average clinic student, therefore, worked 149 hours during the term on the casework portion of their law clinic course. Thus, during the 2020-21 academic year, the 22,000 students in law school clinics are estimated to have provided approximately 3,278,000 hours of free legal assistance to individuals, government entities, and non-profits.

The Supreme [Court held](#) that in awarding legal fees to prevailing parties, paralegals and law clerks are to be awarded fees at market rates, and courts also award fees for comparable clinic student work at market rates.⁵ One national survey of typical billing [rates for paralegals](#) found that law firms charge their clients between \$100-\$200 per hour, with most falling in the median of that range;⁶ another survey found that [rates for non-lawyers](#) across

states ranged from \$99 to \$220 per hour.⁷ If law student work is conservatively valued at a market rate of \$100 per hour, as cases support,⁸ clinic students are estimated to have provided over \$325 million in free legal assistance in 2020-21.

Alternatively valuing student time at the lower prevailing wage rate also shows the enormous economic value of clinic assistance. Wages for law students vary widely, from around \$20-25 per hour in some areas and for some types of law offices and clients, to \$100 per hour for summer work at elite law firms. There is no Bureau of Labor Statistics median wage for law student employment. However, the [median wage for paralegals and legal assistants](#) is \$27.03 per hour.⁹ Using this lower valuation of student time, law clinic students still provided over \$88.5 million in free legal assistance in 2020-21.

Clinic Students	2020-21 Hours	Value/Hour	Total Value
Market Rate	3,278,000	\$100.00	\$327,800,000
Wage Rate	3,278,000	\$27.03	\$88,604,000

An Association of American Law Schools [survey of law schools](#) also sought to value student pro bono services. It reported 4.7 million hours in donated legal services by students during academic year 2018-19, valued at the general rate for volunteer time of \$25.43 per hour, for a total value of \$119 million.¹⁰ The survey only obtained information from 103 schools and the [questionnaire](#) did not define or limit what a school could count as pro bono service or break out hours by the type of service reported (i.e., law clinic, externship, or student organization activities).¹¹

Public service is a [core value of legal education](#)¹² and pro bono legal activities a [professional responsibility of law professors](#).¹³ Although schools often bemoan their costs, law clinics play a primary role in fulfilling these ideals by providing local communities with millions of hours of much-needed legal assistance and hundreds of millions of dollars in free services each year.

¹ ABA, 2021 Standard 509 Information Report Data Overview, https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/statistics/2021/2021-509-enrollment-summary-report.pdf.

² ABA, 509 Required Disclosures—Curriculum, <https://www.abarequireddisclosures.org/Disclosure509.aspx>.

³ Robert R Kuehn, *Implementation of the ABA’s New Experiential Training Requirement: More Whimper Than Bang* (Spring 2021), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3837606.

⁴ ROBERT R. KUEHN, MARGARET REUTER & DAVID A. SANTACROCE, 2019-20 SURVEY OF APPLIED LEGAL EDUCATION (excluding clinics described as entrepreneurship/small business, intellectual property, technology, and transactional), https://uploads-ssl.webflow.com/5d8cde48c96867b8ea8c6720/5f8e46e59e39d4dc82e70a54_Report%20on%202019-20%20CSALE%20Survey.10.19.20.pdf.

⁵ *Missouri v. Jenkins*, 491 U.S. 274, 285 (1989), <https://supreme.justia.com/cases/federal/us/491/274>.

⁶ CosmoLex, *How Much Should Our Law Firm Bill for Paralegal Work?*, <https://www.cosmolex.com/resource-center/running-a-law-office/how-much-should-our-law-firm-bill-for-paralegal-work>.

⁷ CLIO, 2021 LEGAL TRENDS REPORT 63, <https://www.clio.com/wp-content/uploads/2021/08/2021-Legal-Trends-Report-Oct-26.pdf>.

⁸ See, e.g., *League of Wilderness Defenders/Blue Mountains Biodiversity Project v. U.S. Forest Serv.*, 305 F. Supp.3d 1156 (D.Or. 2018); *Davis v. Lancatser*, No. 4:13CV1638 HEA (E.D. Mo. Jan. 18, 2019), <https://casetext.com/case/davis-v-lancatser>.

⁹ U.S. Bureau of Labor Statistics, *Occupational Outlook Handbook - Paralegals and Legal Assistants*, <https://www.bls.gov/ooh/legal/paralegals-and-legal-assistants.htm#tab-1>.

¹⁰ Association of American Law Schools, *AALS Law Student Pro Bono Hours Survey Report* (2019), <https://www.aals.org/aals-newsroom/2019-aals-law-student-pro-bono-hours-survey-report>.

¹¹ Association of American Law Schools, *AALS Law Student Pro Bono Hours Survey Questions* (2019), <https://www.aals.org/wp-content/uploads/2019/09/AALS-Law-Student-Pro-Bono-Hours-Survey-Questions-2019.pdf>.

¹² Association of American Law Schools, *Law Student Pro Bono Contributions* (2019), <https://aalsweb.wufoo.com/forms/w1fuc2201qpe1pe>.

¹³ Association of American Law Schools, *Law Professors in the Discharge of Ethical and Professional Responsibilities*, <https://www.aals.org/about/handbook/good-practices/ethics>.