

Evaluation of the Regional Solicitor Program

26 September 2008





Evaluation of the Regional Solicitor Program



Prepared for Legal Aid NSW

26 September 2008

URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

Associate Director	Dr Ania Wilczynski
Senior Consultant	Benita Power and Samantha Ross
Support Staff	Leighanne Frith
Job Code	KAJ16208
Report Number	Final Report

Executive Summary	i
1 Introduction.....	1
1.1 Legal services in regional, remote and rural Australia	1
1.2 Role of LA NSW	1
1.2.1 Access and Equity	1
1.3 Regional Solicitor Program	2
1.3.1 Rural Client Services Strategy	3
1.4 Service system and policy context	3
1.4.1 CLSD Program	3
1.4.2 Legal Aid NSW Corporate Plan 2007-2008 and the NSW State Plan	3
1.5 Objectives of this evaluation.....	3
1.6 Key components of the phase one methodology	4
1.7 Structure of this report	4
2 The process and implementation of the Program	6
2.1 Overview of the Program and participating private firms	6
2.1.1 Recruitment to the Program	6
2.1.2 Types of candidates for the Program	7
2.2 Application process to the Program	8
2.3 Assistance with relocation	8
2.4 Administration and support from LA NSW.....	8
2.4.1 Grant of aid.....	9
2.4.2 Appropriateness of the two year timeframe	9
2.4.3 Selection of rural and remote areas	9
2.4.4 Professional development	10
2.5 Structure of the subsidy.....	10
3 Impact analysis.....	11
3.1 Overall outcomes and achievements of the Program	11
3.1.1 Impact on private firms participating in the Program.....	11
3.1.2 Impact on the Regional Solicitors.....	12
3.2 Impact on clients.....	13
3.3 The Program's impact on other Legal Aid services.....	13
4 Meeting the underlying rationale	15
4.1.1 Employment opportunities for young lawyers in rural communities	15
4.1.2 Improved access to legal advice and representation	15
5 Cost benefit evaluation	17
5.1 Trends in Legal Aid work undertaken by firms	17
5.1.1 Criminal law grants and payments	19
5.1.2 Family law grants and payments.....	20
5.1.3 Civil law grants and payments.....	22
5.2 Cost of the Regional Solicitor Program	23
5.3 Alternative options to the Program	24
Just note that comparison of the two above sections is covered below.	24
5.4 Outcomes and benefits.....	24
5.4.1 Drawbacks and limitations.....	25

6	Conclusions and future directions	26
6.1	Conclusions	26
6.2	Suggested future directions.....	26
6.2.1	For current participating practices	26
6.2.2	Beyond the two years	28
Appendix A	List of stakeholders consulted	
Appendix B	Discussion Guides	
Appendix C	Additional cost benefit analysis information and data	

Executive Summary

Introduction

The Regional Solicitor Program (RSP) is an initiative of Legal Aid NSW (LA NSW) which funds up to 75% of the salary of a lawyer in each of nine private firms in regional areas of NSW. The program commenced with the first solicitor being appointed in February 2007. The program is designed to improve the availability and accessibility of Legal Aid services to disadvantaged clients living in rural, regional and remote NSW.

The program will run for a minimum of two years in each location. Some firms experienced initial problems while recruiting the Regional Solicitor and in some instances they exited the program early. The two-year period commences on appointment of the first solicitor in each location and if a replacement solicitor is employed, they are only employed for a period that equates to the balance left from the original solicitor.

LA NSW has commissioned Urbis to conduct a longitudinal evaluation of the effectiveness of the program in two separate phases. The first phase involves an examination of placements made under the program to date, and the second phase evaluates these placements again in 12 months.

Overall outcomes and achievements of the program

The Program has achieved a number of outcomes and achievements in its first year of operation. These include:

- Working in partnership with private law firms to place someone permanently on the ground in nine regional areas.
- Improving the availability and accessibility of Legal Aid advice and representation for clients in regional and rural areas, particularly those suffering financial and/or social disadvantage. This includes providing access to a broader range of Legal Aid work in some locations.
- Providing a wage subsidy for firms to undertake more legal aid work, which reduces the strain on regional Legal Aid offices if there is a LA NSW office near the RSP location.
- Employing solicitors in regional areas gives them a better understanding of local needs, and there is scope to build connections and relationships in the community. This should result in more referrals and further improve access to legal services for disadvantaged members of the community.
- Assisting Legal Aid and other legal services/firms in instances where there are conflict of interest issues. It was reported that this can be particularly common in regional areas, especially in cases involving Aboriginal people.
- Giving the Regional Solicitor the benefit of working on a broad range of cases and being mentored by senior members of their firm.

Cost Benefit Evaluation

The overall finding of the cost benefit evaluation is that for a relatively modest cost, participating firms appear to be meeting the program's priorities and are having a major and positive impact on both the firms and on disadvantage people in rural and remote localities requiring legal services.

There were 367 Legal Aid grants approved for firms during their first 12 months of participation in the program; this represented an increase of 19% from the 309 grants approved in the previous 12 months period. The total amount of payments for all three types of law (excluding GST) was \$517,007.33; this

was an increase of 33% from the 12 month period prior to commencing in the program (\$389,022.35). This payment amount includes solicitor case payments, barrister case costs and duty lawyer payments.

The cost per firm participating in the program is much lower than the only alternative option available ie the establishment of an LA NSW regional office in each location. Based on the budget and expenditure of three offices in Orange, Tamworth and Nowra, the program cost per firm (\$13,015.73 to \$196,411.38) is a fraction of the cost of a regional LA NSW office (albeit with a smaller number of staff). Indeed, the entire cost of the program is only slightly more than the actual cost of running the smallest LA NSW office (with four staff) for which data is available (\$790,803).

Suggested future directions

For current participating practices

- Provide administrative support and increase the level of direction received from LA NSW.
- Provide greater assistance with recruitment.
- Provide greater emphasis on professional development.
- Assist practices form better working partnerships with other legal services in their regional areas, such as the Duty Roster and other Legal Aid Regional Programs.

Beyond the two years

- Reconsider the target group for the program.
- If the program is extended, a scoping study should be conducted by LA NSW.
- Further develop the application process so that firms must address set criteria on which selection is based.
- Participating practices should be notified of LA NSW's intention to either continue or cease the program at least six months before the current program funding ends.

1 Introduction

The Regional Solicitor Program is an initiative of Legal Aid NSW (LA NSW) which funds up to 75% of the salary of a lawyer in each of nine private firms in regional areas of NSW. The Program was approved for funding from the Public Purpose Fund in December 2006. The Program commenced with the first solicitor being appointed in February 2007. The Program is designed to improve the availability and accessibility of Legal Aid services to disadvantaged clients living in rural, regional and remote NSW.

LA NSW has commissioned Urbis to conduct a longitudinal evaluation of the effectiveness of the Program in two separate phases. The first phase involves an examination of placements made under the Program to date, and the second phase evaluates these placements again in 12 months.

This is the final report on the first phase of the evaluation.

1.1 Legal services in regional, remote and rural Australia

As is the case in many disciplines, the legal profession finds it difficult to recruit and retain enough qualified practitioners to work in regional and remote Australia. This has clear repercussions for the capacity of citizens of those communities to exercise their legal rights and obtain adequate legal representation. The difficulty of finding legal representation is one of a number of barriers to accessing the legal system in geographically isolated areas. Other barriers include limited infrastructure, and a lack of access both to appropriate intermediaries and to early intervention services. More remote areas are often 'technology poor', with varying quality of internet access making it hard to use on-line assistance options.¹ This situation is compounded when those attempting to access the legal system also suffer financial and/or social disadvantage.

Improving the provision of legal services in regional and remote areas requires an understanding of the reasons why young professionals may or may not be attracted to working in these areas, as well as the range of incentives that may be effective in removing these barriers. LA NSW has made it a priority to improve access to legal services in rural, regional and remote locations and to encourage young solicitors to spend a period of time working outside metropolitan areas. The Regional Solicitor Program is an important aspect of implementing this priority.

1.2 Role of LA NSW

LA NSW assists socially and economically disadvantaged people to exercise their legal rights. As an independent statutory body established under the *Legal Aid Commission Act 1979* (NSW), LA NSW works closely with other providers of legal services and community agencies to promote equity of access to the law. There are a number of key stakeholders involved in the delivery of Legal Aid services including the NSW Attorney General's Office, LawAccess NSW, Community Legal Centres, Aboriginal and Torres Strait Islander Legal Services, the Law Society NSW, the NSW Bar Association, as well as private legal practitioners. LA NSW is under an obligation to ensure legal assistance is provided in the most effective, efficient and economical manner.²

1.2.1 Access and Equity

In fulfilling its role, LA NSW aims to provide equitable access to services without members of the community being disadvantaged by cultural, linguistic and geographic barriers. LA NSW recognises the complex relationship that exists between access to the legal system and access to justice. In a previous evaluation of LA NSW's Cooperative Legal Service Delivery Model (CLSDM) Pilot, a sophisticated

¹ L Schetzer, J Mullins, & R Buonamano, *Access to justice & legal needs, a project to identify legal needs, pathways and barriers for disadvantaged people in NSW. Background paper.* Law and Justice Foundation of NSW, Sydney, 2002 at 37.

² Section 12(a) of the *Legal Aid Commission Act 1979* (NSW).

discussion of access and equity issues was presented.³ While access to the legal system and procedural fairness are not necessarily sufficient to bring about access to justice, obstacles to legal services clearly limit opportunities to exercise legal rights that may bring about a just result. The meaning of access to justice was explored by the Australian Law Reform Commission (ALRC) in its Report, *Managing Justice: A Review of the Federal Civil Justice System*, where it was noted that:

Access to justice can only ever mean, in broad institutional and systemic terms, relatively equitable access to the legal process.⁴

LA NSW works to provide equitable access to the legal process in a number of ways. Some ways it does this is by:

- providing Legal Aid on a means tested basis across a range of areas of law and to a range of disadvantaged people, including Aboriginal and Torres Strait Islander people, people who are disabled, people from Culturally and Linguistically Diverse backgrounds, women and people who are institutionalised and/or experience mental illness
- providing advice clinics located across metropolitan and regional areas
- undertaking research into aspects of Legal Aid including the different methods of providing Legal Aid
- initiating and carrying out educational programs designed to promote understanding by the public of their rights, powers, privileges and duties under the NSW law
- making recommendations to the Minister about matters relating to LA NSW
- providing information about appropriate referral services where Legal Aid is not able to assist
- providing grants of Legal Aid for many civil, family, criminal, administrative law, mental health and veteran's matters.

In 2006-2007, LA NSW provided 591,725 client services including representation, legal advice, information and community legal education.⁵

1.3 Regional Solicitor Program

The Regional Solicitor Program is one of a number of initiatives designed to meet the needs of clients living in geographically isolated areas not serviced by LA NSW's established offices. The Program aims to ensure there are enough qualified legal practitioners available to undertake Legal Aid work in rural, regional and remote NSW. It does this by:

- providing rural clients, particularly those suffering financial and/or social disadvantage, with improved access to legal advice and representation⁶; and
- providing employment opportunities for young lawyers in rural communities.

The Program partners with private law firms in regional areas. Subsidies are provided to these law firms to employ an additional practitioner, who will spend an agreed amount of time (75%) on Legal Aid work. The firm receives payment of professional fees for all Legal Aid services undertaken as part of the Program from LA NSW, and in return, assumes other responsibilities, such as the cost of professional indemnity insurance and the solicitor's remaining salary. The Program covers a range of types of law. Some locations focus on specific areas, such as family and civil law, while other locations are able to make available the full scope of law types eligible to be covered by Legal Aid.

³ *Evaluation of the Cooperative Legal Service Delivery Model (CLSDM) Pilot*, Legal Aid Commission of NSW, August 2005 at 3.1.

⁴ ALRC Report 89, *Managing Justice: A Review of the Federal Civil Justice System* at 1.81.
<http://www.alrc.gov.au/inquiries/title/alrc89/index.htm>.

⁵ Legal Aid NSW website viewed at 11 April 2008: <http://www.legalaid.nsw.gov.au/asp/index.asp?pgid=369>.

⁶ *Regional Solicitor Program, LegalAid NSW, October 2006 at 2.*

1.3.1 Rural Client Services Strategy

The Regional Solicitor Program operates under the broader Rural Client Strategy which is a strategic plan to deliver services to rural, remote and regional areas of NSW. A number of initiatives are detailed in the Strategy. One example is outreach services, which involve Legal Aid Solicitors visiting a range of centres in NSW to provide legal advice tailored to the needs of that community. This may include family law services, child support and veteran's affairs advice. Many of these initiatives operated prior to the introduction of the Regional Solicitor Program.

1.4 Service system and policy context

The Regional Solicitor Program and Rural Client Services Strategy operate in a much broader service system and policy context relevant to this evaluation.

1.4.1 CLSD Program

In 2002, LA NSW established the CLSD Program which operates in key areas of NSW and emphasises a regionally-based approach to service delivery based on building cooperative and strategic networks of legal services and community organisations. These collaborative arrangements with other agencies recognise that people seek help in a diverse range of ways, not always identifying their problems as 'legal'. Effective, integrated and coordinated referral processes are critical to preventing a 'referral merry-go-round' in this context.⁷

The CLSD Program is structured around regional coalitions of legal service providers and community service organisations, made up of key representatives in each area. In implementing their strategic plans, the coalitions undertake local community education projects and outreach activities. The CLSD Program also works to improve pro-bono legal services from metropolitan firms and the quality of data collection across state agencies in order to promote evidence based planning and policy-making.

1.4.2 Legal Aid NSW Corporate Plan 2007-2008 and the NSW State Plan

Improving access to justice in rural and regional NSW is a key part of LA NSW Corporate Plan 2007-2008. LA NSW aims to strengthen relationships with private practitioners and to work collaboratively to build partnerships with regional providers. Undertaking evaluations of existing programs enables Legal Aid to measure its success in achieving these objectives.

As a stakeholder in the implementation of the NSW State Plan, LA NSW promotes social justice to reduce disadvantage, as recognised in Legal Aid's Annual Report 2006-2007.⁸ LA NSW implements the State Plan by identifying legal needs, providing legal advice and education and working in partnership with other agencies including NSW Legal Assistance Forum, Aboriginal Legal Service (NSW/ACT) Ltd, Community Legal Centres and the NSW Law Society. Extending Legal Aid services to rural, regional and remote NSW also contributes to the implementation of the State Plan.

1.5 Objectives of this evaluation

The evaluation involves four key components:

- examination of the underlying rationale of the Program
- process and structure evaluation
- impact analysis
- cost-benefit evaluation.

⁷ Legal Aid NSW, 'Bringing it all together: A Partnership in Legal Service Delivery', Factsheet on the Cooperative Legal Service Delivery Program.

⁸ *NSW Legal Aid Commission Annual Report 2006-2007* at 6.

1.6 Key components of the phase one methodology

The methodology for phase one of the evaluation consisted of a series of stakeholder interviews and analysis of administrative data for the cost benefit analysis.

The stakeholder interviews were conducted during July and August 2008, and were generally 30-60 minutes in duration. Those consulted included:

- stakeholders who were able to comment on the Program as a whole, its underlying rationale, development and overall structure and perceived effectiveness, eg Program representatives from LA NSW (including those in policy level positions and those involved in the day to day administration of the Program), the NSW Law Society, NSW Legal Assistance Forum, Aboriginal Legal Service (NSW/ACT) Ltd, and the NSW Attorney General's Department
- each participating location, including subsidised practitioners and partners in participating firms
- representatives of relevant organisations external to the participating firm eg local consumer advocacy groups/referral bodies, representatives of the local court system, regional representatives of CLSD and Community Legal Centres (these stakeholders were nominated by the participating firms or solicitors)
- formerly subsidised individual practitioners who have left the Program, and partners in firms that are no longer participating in the Program
- firms and individual practitioners that have declined to participate in the Program, where available.

A list of stakeholders consulted is provided in Appendix A of this report.

1.7 Structure of this report

This report is structured as follows:

- Chapter 2 discusses the process and implementation of the Program
- Chapter 3 covers the impact analysis
- Chapter 4 analyses the underlying rationale of the Program
- Chapter 5 analyses the cost-benefits of the Program
- Chapter 6 sets out the future directions and recommendations for the Program.

References

Regional Solicitor Program, LA NSW, October 2006.

Schetzer, L Mullins, J & Buonamano, R, *Access to justice & legal needs, a project to identify legal needs, pathways and barriers for disadvantaged people in NSW, Background paper*. Law and Justice Foundation of NSW, Sydney, 2002, <http://www.lawfoundation.net.au/report/background>.

Legal Aid Commission of NSW, *Evaluation of the Cooperative Legal Service Delivery Model (CLSDM) Pilot*, August 2005, <http://www.legalaid.nsw.gov.au/asp/index.asp?pgid=712>.

ALRC Report 89, *Managing Justice: A Review of the Federal Civil Justice System* at 1.81
<http://www.alrc.gov.au/inquiries/title/alrc89/index.htm>.

Legal Aid NSW, 'Bringing it all together: A Partnership in Legal Service Delivery', *Factsheet on the Cooperative Legal Service Delivery Program*, <http://www.legalaid.nsw.gov.au/asp/index.asp?pgid=712>.

NSW Legal Aid Commission *Annual Report 2006-2007*, NSW Legal Aid Commission, Sydney.

2 The process and implementation of the Program

This chapter discusses the process and implementation of the Regional Solicitor Program (the Program). This includes:

- an overview of the Program and the participating firms
- recruitment to the Program
- the application process
- assistance with relocation
- administration and support from LA NSW
- structure of the subsidy.

2.1 Overview of the Program and participating private firms

The Program was approved for funding in December 2006. The Program officially commenced with the appointment of the first solicitor in Broken Hill in February 2007. It provides salary subsidies and other incentives to private law firms in up to ten regional and rural areas of NSW to employ an additional lawyer for a two-year period. In return, the lawyer employed must undertake an agreed amount of Legal Aid work (75% of their time). In practice, the Program is currently operating in nine locations:

- Batemans Bay
- Bega
- Murwillumbah
- Cowra
- Young
- Dubbo
- Taree
- Moree
- Broken Hill

The Program will run for a minimum of two years in each location, although as discussed below, some firms experienced delays due to difficulties in recruitment. In some instances the Regional Solicitor has exited the Program early. The two year period commences from the appointment of the first solicitor in each location and if a replacement solicitor is employed, they are only employed for a period that equates to the balance left from the original solicitor.

2.1.1 Recruitment to the Program

Firms advertised the position through local and national newspapers, on job vacancy websites such as Seek and My Career and through their networks. There were some challenges finding a suitable candidate, however all nine locations did fill the positions and at the time of interview, almost all had a solicitor employed under the Program.

Nonetheless, overall firms have experienced significant difficulties in attracting suitable candidates to take up the Regional Solicitor position. This has represented the most significant challenge for the Program. The challenge of recruiting suitable solicitors is not unique to this Program. As discussed in Chapter 2 the legal profession (as with many others) experiences general difficulties in recruiting and retaining qualified legal practitioners to work in regional and remote areas.

Firms were provided an allowance of \$1000 to cover the costs of recruiting an additional lawyer for the Program. In general, the cost of the exercise exceeded the allowance – in some instances quite significantly – due to the large amount of advertising required to fill the position. A future strategy could be to increase the limit of the allowance, in recognition of the recruitment challenges commonly experienced.

LA NSW has considered that a possible solution to overcome recruitment difficulties is for LA NSW to gather a pool of potential recruits, for example promote the Program to students who were assisted with study subsidies/scholarships funded by the LA NSW and the LA NSW Graduate Program. The merits of this option may in part depend on the desired level of experience for lawyers employed under the Program (discussed further in Chapter 4).

2.1.2 Types of candidates for the Program

In most locations, partners and stakeholders felt that the solicitors in the Program have had a good or at least reasonable level of skill and have since increased their capacity to undertake Legal Aid work. This has especially been the case where firms have employed a solicitor with previous legal experience.

Nonetheless, the general view was that overall, the pool of candidates applying for the Program has been limited both in terms of numbers and calibre. One firm felt that they were getting the ‘bottom end’ of the market; that is they could only attract mature age graduates or younger, less successful graduates who had not secured a job in the competitive metropolitan job market.

The types of candidates attracted to the Program appear to fall into the following six categories:

- Law graduates with no or minimal experience who are unable to get a job elsewhere and see the Program as an opportunity to gain experience and increase their employability in the more competitive metropolitan market.
- Law graduates with no or minor experience, originally from a rural area and wanting to return to the country or their home town.
- Mature age law graduates who are unable to secure employment in the more competitive metropolitan market.
- Young solicitors/recent graduates who are attracted by the opportunity to gain a good breadth of experience in a short timeframe, which could possibly take years to gain in a larger, city-based firm.
- Experienced solicitors/barristers who have previously practiced in other rural or metropolitan areas and want to relocate for a ‘sea/tree change’.
- Experienced solicitors from overseas but only just admitted in Australia.

It is important to consider these types when targeting future recruitment. These categories may not directly align with the aims of the Program - the Program is specifically targeted at young solicitors with five years of experience or less. This is discussed in detail in Chapter 4.

Retaining Regional Program Solicitors

During the course of the Program, several Regional Solicitors have left early and this tends to be within their first three months. It is important to identify suitable candidates who are happy to relocate from metropolitan areas, and who have a sound understanding of the new environment they would be living and working in, and an ability to cope with the geographical and social isolation they may feel. One firm reported that they are ‘selling a lifestyle, not just a job’.

It is also a practical reality that both the client group and nature of Legal Aid cases can be fairly challenging for regional solicitors, particularly those who are young and inexperienced. This can be a particular problem for female solicitors in regional areas who may have their security compromised. One partner reported that in a small country town, it is highly probable that a solicitor will run into their client, and there were reported instances of threats being made against a Regional Solicitor.

If the Regional Solicitor has less than two years experience, they require a significant amount of mentoring and support from older, more experienced members of the firm. This time is not covered by the subsidy and is a large investment both in time and money. An alternate option is to employ more experienced solicitors; however they tend to seek higher salaries that pay more than the current salary cap.

2.2 Application process to the Program

There were mixed views about the rigour of the application process. Most firms responded positively about the application process and recalled that the requirements were clear and allowed them to demonstrate why they should be selected. In contrast, some concerns were expressed by external stakeholders regarding the basis for the selection of the firms, however these stakeholders may not have informed knowledge of the application process, or may have also applied for a place in the Program.

At present there is no defined set of criteria that firms must address to be considered for inclusion in the Program. This may make it hard to choose between firms when more than one applies in the same location. To address this issue, LA NSW could further develop its application process to include a set of criteria that practices are evaluated against when applying to participate in the Program.

2.3 Assistance with relocation

LA NSW provides up to \$5,000 to cover regional solicitors' relocation expenses. Overall, both firms and the Regional Solicitors were pleased with this level of assistance, and the claim process was reported to be straightforward.

Across firms, there was mixed understanding about the rules concerning the length of time a solicitor must remain with the Program to keep the relocation allowance, should they choose to leave the Program within the two years. LA NSW advised that it recently started re-claiming the allowance from Regional Solicitors exiting the Program before two years, which is in line with their contract. At the time of the consultations, this has only affected one solicitor who had been in the Program for a year and was leaving due to the perceived high demands of the position.

2.4 Administration and support from LA NSW

Overall, participating firms and solicitors were positive about the level of support and assistance received from LA NSW in the initial stages of the Program and its ongoing administration. There was not a large volume of contact reported, however most informants were pleased with the timeliness of responses to requests for information and clarification of Program policies.

LA NSW runs a one day induction session for Regional Solicitors in the Program. This session covers an overview of the Program, the Regional Solicitor's role, expectations of the solicitor and the work they will do, as well as administrative procedures. This session is either held in Sydney before the solicitor relocates, or LA NSW will travel to the solicitor's location. LA NSW recognises that this induction process is critical to the success of the Program. Nonetheless, a small number of firms missed out on this induction due to problems with timing or availability to attend.

A small number of firms commented on the lack of Program induction and written guidelines, stating that they used their own initiative to get started. It appears likely that this has led to a greater number of enquiries to LA NSW from participating firms and solicitors than may have been the case otherwise. It also appeared from the consultations that there are varying understandings of some aspects of the Program's (informal) guidelines amongst different firms/regional solicitors, and possibly some inconsistencies in their application between different LA NSW staff who have been responsible for the Program. Some also commented that it was only after they enquired that they found out they were eligible for certain benefits or aspects of the Program, and it would have been preferable to be told this upfront. However, the entitlements of each firm to claim fees under the Program is covered in the

tripartite contract. For example the contract provides that the firm can claim fees for duty appearances, case approved applications and for minor advice and assistance.

There were some instances where both the firm and solicitor would have liked the Program administrators to be more proactive in maintaining a working relationship and providing more detailed information through an induction and ongoing feedback and assistance. This did not have to occur on a regular basis, but it was reported that some requests for further guidance on the scope of the Program had not been answered and there are no documented guidelines or procedures available.

To overcome this, there is a need for a Program procedure document that clearly stipulates what is and is not within the scope of the Program. It is likely this would reduce both the number of enquiries directed to the LA NSW, and the level of interpretation required by individual firms participating in the Program. It would also enhance the sense that all firms participating in the Program are being treated in a consistent manner.

2.4.1 Grant of aid

The grant of aid is a core part of providing services through Legal Aid; this grant is given in cases where more than a legal advice session is required and clients will usually have to pay some money towards the cost of their case, depending on their individual circumstances. Private practitioners who perform work on behalf of Legal Aid apply for a grant either online or by paper application.

It was reported that the process for submitting/approving a grant of aid could be made smoother and needs to be processed as quickly as possible. One suggested response to this is for systems and policies for grant approval to be streamlined to reduce paperwork and times for approval of grants. It was felt that the Regional Solicitors should be treated the same as, or similarly to, internal LA NSW staff rather than as purely external lawyers. LA NSW does however have a requirement that In-house staff apply for a grant of aid via the Grants On Line electronic facility in most areas of law. With the implementation of the new Grants data base (ATLAS) in late 2008, all practitioners both internal and external will be required to lodge their applications with the Grants Division electronically ensuring that the process of obtaining a grant of aid is the same for all practitioners.

The current procedure is regarded as burdensome, particularly since all or the great majority of the solicitors' workload consists of Legal Aid. It was reported that completing the paperwork can be quite time-consuming for the Regional Solicitors. Some firms also reported that they have had to employ additional administrative staff to cope with the workload and increase in paperwork. Nonetheless, some solicitors commented on the fact that the processes had become smoother and easier once they developed a close working relationship with the section in LA NSW head office that approves grants and became more familiar with how the grant approval system operates. However it would be preferable if this were not required to ensure the processes work as efficiently as possible from the Regional Solicitors' point of view.

2.4.2 Appropriateness of the two year timeframe

On balance, the two year timeframe was regarded as appropriate by firms and solicitors participating in the Program. At the end of the two years it is felt likely that the Regional Solicitor would move on to a different role, which would be a good time to attract a new practitioner to the area. The two years allows the Regional Solicitor to develop networks within the area and gain and understanding of any issues that exist in the community.

2.4.3 Selection of rural and remote areas

According to LA NSW, a scoping exercise was undertaken to select 20 areas that the Program could operate in, which was then narrowed down to ten. The exercise involved running a variety of reports to identify the Legal Aid activity taking place in different regional and remote areas. It examined the number of firms doing Legal Aid work and the type of work they were doing (criminal, family or civil) to identify gaps and areas of need.

There was no consultation work undertaken with firms in different localities about both the met and unmet demand for Legal Aid work in the area, the number of firms undertaking this work, and the impact that the Program may have. Nonetheless it appears that the localities selected have had ample Legal Aid work and in most areas, the impact on other firms in the area has not been great.

2.4.4 Professional development

It is regarded as critical that Regional Solicitors receive access to regular professional development, particularly since the Program is aimed at less experienced lawyers. This is particularly important for those with less practice experience in relevant areas before they commenced in the job.

The Regional Solicitors have access to Legal Aid conferences and their registration fee is covered under the Program. However this does not take into account of the high cost of travel from some areas and time out of the office. It was commented that this can be a significant cost for a small regional firm to bear. It was suggested that they should be treated in the same way as other LA NSW staff, and have their total travel costs for attending conferences and training reimbursed.

Some also suggested that there be greater emphasis on provision of professional development opportunities in other ways. Examples included:

- identifying professional development needs as soon as the solicitor commences in the job, and the employer and LA NSW identifying formal opportunities to undertake this training as soon as possible; there should be a separate budget allocation from the LA NSW for this purpose
- providing Regional Solicitors with access to a formal mentoring arrangement.

2.5 Structure of the subsidy

The structure of the subsidy received by firms appears to reflect the amount of Legal Aid work that they are undertaking in most cases. All solicitors and firms reported that at least 75% of the solicitors' work is Legal Aid. Indeed, in almost all instances it was reported that all or almost all of the solicitors' work has consisted of Legal Aid, from as soon as they started in the position or very shortly thereafter. Some examples were cited where firms have experienced a huge increase in the Legal Aid work and the subsidy does not meet the office overheads and administrative costs that resulted from this surge in work.

In one extreme example, the Regional Solicitor had to take on 100% of the Legal Aid work in the area, since the other firms who had previously conducted Legal Aid work stopped doing so, as soon as the Regional Solicitor commenced in the position. This was reportedly unmanageable for one person due to the intense workload and the associated stresses of Legal Aid cases. The Regional Solicitor has subsequently left the Program to take up another position elsewhere. This example illustrates the importance of adequate scoping and consultation with legal firms in the area where it is proposed to introduce the Program.

3 Impact analysis

This chapter discusses the impact of the Program, including both the achievements and limitations. This includes:

- the overall impact of the Program
- the impact on private firms participating in the Program
- the impact on the Regional Solicitors
- impact on clients
- impact on other Legal Aid services.

3.1 Overall outcomes and achievements of the Program

The Program has achieved a number of outcomes and achievements in its first year of operation. These include:

- Working in partnership with private law firms to place someone permanently on the ground in nine regional areas. It is a significant achievement in itself that private firms have signed up for the Program given that the nature of Legal Aid work can be very demanding, and not very commercially rewarding, even with the subsidy.
- Improving the availability and accessibility of Legal Aid advice and representation for clients in regional and rural areas, particularly those suffering financial and/or social disadvantage. This includes providing access to a broader range of Legal Aid work in some locations – for instance some firms reported that the Program has allowed them to expand into other areas of Legal Aid work they had not practiced in previously (eg family law).
- Providing a wage subsidy for firms to undertake more Legal Aid work, which reduces the strain on regional Legal Aid offices if there is a LA NSW office near the Regional Solicitor Program location.
- Employing solicitors in regional areas gives them a better understanding of local needs, and there is scope to build connections and relationships in the community. This should result in more referrals and further improved access to legal services for disadvantaged members of the community.
- Assisting Legal Aid and other legal services/firms in instances where there are conflict of interest issues. It was reported that this can be particularly common in regional areas, particularly in cases involving Aboriginal people.
- Giving the Regional Solicitor the benefit of working on a broad range of cases and being mentored by senior members of their firm.

3.1.1 Impact on private firms participating in the Program

Outcomes

Three key benefits of the Program for firms were identified in the consultations. One is the public's heightened awareness of the firms' provision of legal services to disadvantaged members of the community. One firm reported that the Program is seen as making an important contribution to the firm's community profile. One partner commented that 'the Program is a good opportunity to provide services to parts of the community that get a rough deal, to demonstrate a sense of justice and fairness'.

Most of the firms' partners have a background or keen interest in social justice and were already undertaking Legal Aid work through the duty roster. However in contrast to this, one firm reported that prior to commencing in the Program they had been turning away Legal Aid work due to costs, but they now encourage it across the firm.

A second benefit of the Program for firms is that due to the wage subsidy provided, the Program absorbs some of the risk of taking on more Legal Aid work, or more Legal Aid work of particular kinds (eg family law), or employing another solicitor more generally. For small regional firms, there can be significant cost and risk involved in taking on another solicitor, particularly in the early stages when the solicitor may be requiring considerable support before getting 'up to speed' with the job. There was a general view that firms would have been trying to fund the position from their own pocket and therefore the subsidised Regional Solicitor position was a bonus. All firms had previously taken on Legal Aid work, however the amount varied greatly. Overall, firms reported a growth in the amount of family law Legal Aid work undertaken and some had taken on civil matters.

A third – and in some cases significant – benefit for firms is that in at least some cases, it has given firms an opportunity to undertake more private work. In some instances it was reported that the Program has resulted in other lawyers in the firm (typically partners) doing less Legal Aid work than previously, and the Regional Solicitor taking over all or most of this work.

Limitations

The main limitation of the Program for participating firms is that there has generally been a fairly significant amount of time involved in mentoring and supporting for the Regional Solicitors, particularly in their initial stages of employment and for those solicitors who have come to the job with less experience. However, in general, the amount of time has markedly decreased over time as solicitors become more familiar with the job. None of the participating firms felt that the amount of support required had been inordinate.

It is also unclear whether the Program will help resolve employment difficulties in regional law firms (this issue is discussed further in Chapter 4). Some firms were unsure about whether they would continue with the Program when funding ends. Some firms reported that this is partly due to broader succession issues that firms need to consider if they remain in the Program, since it focuses mainly on family and some criminal law. This would narrow the firms' expertise, as the Regional Solicitors are only undertaking a subset of work that most regional firms currently or usually undertake.

3.1.2 Impact on the Regional Solicitors

Outcomes

The Program offers its solicitors the potential to receive an extensive amount of supervision, mentoring and coaching. One firm reported that it was committed to providing supervision, attending court with the solicitor, and giving them access to accredited specialists in the firm to review their Legal Aid cases, as required.

Overall, the current Regional Solicitors still in the Program appear to have settled into their new towns and have indicated that they will remain in the area. However, it is unlikely that a solicitor would continue in the role for more than two years, as by then they would then be seeking promotion and to practice in other areas of law outside Legal Aid work.

Limitations

The Program has involved a steep learning curve and was reported to be a demanding role by a number of the solicitors, particularly those with less previous experience. This highlights the tensions between the target group and the aims of the Program, which are discussed in detail in Chapter 4.

3.2 Impact on clients

Outcomes

The objective of the Program is to improve access to legal advice and representation for rural clients, particularly those suffering financial and/or social disadvantage. Overall, it appears that the Program is meeting this objective. One Regional Solicitor commented that:

It is a fantastic Program for rural people who are disadvantaged and unaware of their rights – sometimes they are not interested in pursuing assistance until they are in front of a magistrate.

Communities have benefited from the Program, as it has allowed firms to dedicate a solicitor to Legal Aid work. In some areas, firms reported that they are gradually building a profile, which results in service providers and community groups referring clients to them. However, there is considerable scope to increase the profile of the Regional Solicitor in most areas – particularly since firms are not permitted by LA NSW to advertise that they are in the Program – and increase community awareness of the legal services available. It is therefore likely that more promotion or awareness of the Program would increase the demand for Legal Aid work, but most Regional Solicitors are already spending all, or almost all of their time on Legal Aid work. It could therefore be difficult for the solicitors to meet any increased demand in the absence of any further staffing resourced being made available by LA NSW.

Limitations

Concerns have been expressed by a small minority of stakeholders about the quality of advice and representation provided through the Program. The firms that have been able to attract an experienced solicitor report that clients benefit greatly as they ‘receive a quality service and assurance of a proper hearing’. However some solicitors in the Program are young and newly graduated from law school - one Regional Solicitor, who had previously worked as a barrister, was concerned that a less experienced lawyer may not be able to deal with some of the more challenging ethical issues in entering a plea. Consistently, one less experienced Regional Solicitor reported that:

I’m dealing in things I don’t have experience in... there’s no time for professional development. It’s very depressing turning up for matters I don’t have any experience in. I’m frequently in at 6am and often here till 7pm. I don’t have time to learn all the areas I’m expected to practice in.

Stakeholders in a couple of areas likewise raised concerns about the limited court experience of some Regional Solicitors. Some stakeholders considered it problematic that not all firms have suitably qualified solicitors, which has made them reluctant to refer people onto them. Moreover, they reported that while there may be a service available, if it is not a quality service, then it has not addressed the issue of equitable access for rural clients.

3.3 The Program’s impact on other Legal Aid services

Impact on other firms in the region

There had been fear expressed that the Program would reduce that amount of Legal Aid work undertaken by other law firms in the area. From the consultations conducted, this does not appear to have occurred (other than in the instance noted below), especially where the duty roster system has continued to operate and shares the Legal Aid work between firms. It is apparent in some areas that there is a huge demand for Legal Aid services, and consequently there is little to no risk of firms missing out on work. In most areas it was reported that there are only a small number of firms conducting Legal Aid work. Overall, the general view has been that, in most locations the Program has met a significant unmet latent demand for Legal Aid services.

In some areas the continuance of the duty roster once the Regional Solicitor commenced work was negatively viewed by participating firms who report that it undermines their role, particularly when the

duty roster solicitor travels a considerable distance to provide services in their area. For example, one firm commented that

It doesn't make sense for an outside firm to travel up to (here) to do the duty roster role when there is a funded service... There should be more of an emphasis on the Regional Solicitor. I understand that may take work away from (other areas) but you need to think about geography.

At least two firms reported that solicitors from out of town have visited the area to conduct half day advice sessions. In their view, this should be the role of the Regional Solicitor and such advice sessions would serve to not only provide access to legal services but would also build their profile in the community and improve awareness of the Program.

Nonetheless, in one area a firm not in the Program reported that it is now conducting 20% less Legal Aid work than before the Program commenced (and reported that another firm in the area had the same experience). Concerns were expressed that there is now not enough Legal Aid work to go around, particularly given that:

- A nearby LA NSW office employs a solicitor to visit the area three days a week (in addition to the Regional Solicitor). It was felt that the population of the area (30,000) did not justify having both these lawyers employed. It was suggested that the Program should only operate in areas with a population over 100,000.
- The decline in the property market has had a negative impact on the amount of private legal work available in regional areas, and legal firms would therefore like the opportunity to do more Legal Aid work if possible.

Conversely, the employment of the Regional Solicitor in one rural area had an unexpected negative effect when all other firms withdrew from Legal Aid work, leaving the participating firm and solicitor to undertake a huge volume of work – this is discussed in detail in Section 2.5.

Notwithstanding the concerns expressed about the duty roster system, it is important that more than one firm engages in Legal Aid work to deal with the 'conflict of interest' issues that commonly arise in remote areas. A firm is not able to represent more than one party in legal proceedings due to conflict of interest, which is problematic in family law cases or in criminal cases where there are multiple accused. In one area, the local magistrate was keen to highlight the difficulty of finding suitable and timely representation in Care Proceedings, and conflict of interest creates a challenge for Legal Aid in such instances. Overall, the Program appears to be adding to the availability of Legal Aid services rather than taking work away from other firms.

Coordination with other Legal Aid Services

There appears to be considerable confusion by participating firms about the role of the Program and where it sits in relation to other Legal Aid services such as the duty roster, and advice sessions given by nearby Legal Aid Offices. Furthermore, consultation with a range of stakeholders including local court representatives, legal practitioners from the Aboriginal Legal Service and domestic violence and health service providers revealed variable – but generally a very low – level of awareness and recognition of the Program. This suggests that there could be better linkages with a range of other programs (eg to encourage referrals).

Several participating partners and solicitors reported that the above services appear to be competing with the Program rather than complementing or supporting them. They felt that they should become the main community point of contact for Legal Aid services. On the other hand, a firm which conducts Legal Aid work but is not in the Program, expressed concern that not too much work be channelled through this Program, to the exclusion of other private firms.

LA NSW suggested that more communication may be required between the LA NSW program areas to provide a more coordinated approach to service delivery. LA NSW could also take a more proactive role in promoting the Program through their communication channels within LA NSW, the regional LA NSW offices and service providers.

4 Meeting the underlying rationale

This chapter discusses the underlying rationale of the Program, which is to:

- provide rural clients, particularly those suffering financial and/or social disadvantage, with improved access to legal advice and representation; and
- provide employment opportunities for young lawyers in rural communities.

4.1.1 Employment opportunities for young lawyers in rural communities

The Program has provided employment opportunities for young lawyers in rural communities, but it appears to face the same problems that many professions have in recruiting suitable employees to the country. This was evidenced by the considerable recruitment activity firms undertook, the number of candidates interviewed and the number of Regional Solicitors leaving the Program early. To this end, the Program does provide opportunities but does not offer a solution to the recruitment difficulties; the nature of the work may mean that the positions are not filled for the full two years and beyond. It is also unknown whether the Program will provide a longer term solution to recruitment problems.

4.1.2 Improved access to legal advice and representation

Outcomes

The Program does appear to have increased access to legal services for geographically isolated and disadvantaged Australians. The consultations suggested that a greater number of people are receiving Legal Aid services than before this Program commenced. It is likely that in the absence of this Program, some or possibly many people may have gone unrepresented. The next section of this report provides data on the number of grants approved by civil, criminal and family law.

In some locations, the nearest Legal Aid office might be some distance away which becomes a significant barrier as Legal Aid clients may not have access to private transport, making it very difficult and time-consuming to visit an office. For example, in one location the nearest Legal Aid office was an hour's drive away but buses only ran several times a day, meaning that it could easily take a day to get there and back.

One solicitor reported that the potential of the Program may not yet be fully realised and may reach more disadvantaged people as their profile and awareness of Legal Aid increases in the community.

Limitations

There appears to be some tensions between the Program's rationale - in that it is geared towards very young and relatively inexperienced solicitors - and the reality of the challenging work funded by Legal Aid, which they are expected to do. This work covers three substantive areas of law (family, criminal and civil) in which the Regional Solicitor will have no or very limited experience, if they are in the intended target group for the Program. It was noted that generally even LA NSW staff would only be working in one of those areas at a time.

As discussed in Section 3.2, concerns were expressed by several external stakeholders that the Regional Solicitor was not adequately experienced to take on some Legal Aid cases and therefore clients may be receiving a lower standard of service.

In a number of locations, it appeared that previously the partner or senior members of the firm had undertaken Legal Aid work, but this work was now being undertaken exclusively or primarily by the Regional Solicitor. This has therefore meant that a much less experienced lawyer is undertaking Legal Aid work than was the case before the introduction of the Program, while the senior member(s) of the firm focus more on private legal work (which is more commercially lucrative).

This existing tension suggests that the either the Program should:

- be pitched at solicitors with a greater level of experience eg several years practising law (possibly more), or

- place a greater emphasis on professional development and support eg identifying up front professional development needs and ensuring formal training and support is available for the solicitor. This could include having a budget allocation from LA NSW for this purpose. A further option is organising for a formal mentor, possibly outside the firm, and also emphasising that this is an important role of the employer.

5 Cost benefit evaluation

This chapter provides the findings of the cost benefit evaluation component of the evaluation.

For the purposes of this component of the evaluation, LA NSW provided data for eight of the nine participating firms. This included:

- the number of grant applications, grant approvals and grant refusals for each firm by law type ie criminal, civil and family
- the amount paid to each firm for case payments-solicitor, case costs-barrister and duty lawyer payments.

This was provided on a monthly basis, which allowed analysis of the number of grants approved and total payments received during each firm's first year of participation in the Program⁹. This was then compared with activity during the previous twelve-month period. This data was supplemented with qualitative information gathered during the in-depth interviews with firms and solicitors on the cost efficiencies of the Program.

It should be noted that the Regional Solicitor role may have been undertaken by more than one solicitor due to resignations from the position/firm. Any lag time in re-filling these positions may have impacted on the amount of Legal Aid work undertaken (details provided in Appendix C).

The overall finding of the cost benefit evaluation is that for a relatively modest cost, participating firms appear to be meeting the Program's priorities, and are having a major and positive impact on the firms and for disadvantaged people in rural and remote locations requiring legal services.

5.1 Trends in Legal Aid work undertaken by firms

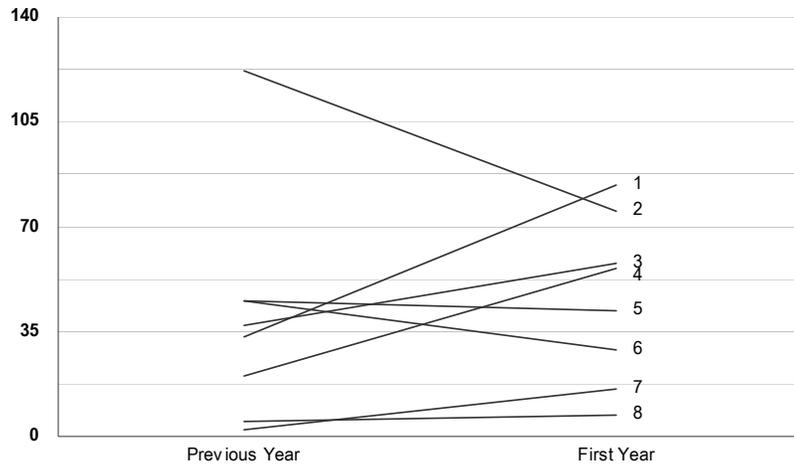
There were 367 Legal Aid grants approved for firms during their first 12 months of participation in the Program; this was an increase of 19% from the 309 grants approved in the previous 12 months period (see figure 1). The total amount of payments for all three types of law (excluding GST) was \$517,007.33; this was an increase of 33% from the 12-month period prior to commencing in the Program (\$389,022.35) (see figure 2). This payment amount includes solicitor case payments, barrister case costs and duty lawyer payments.

Key findings include:

- Four of the eight firms increased the amount of Legal Aid work they undertook in the first 12 months of participating in the Program, based on the number of grants approved.
- Two firms tripled the amount of Legal Aid work they did in the 12-month period prior to commencing in the Program – this was the case for Marion Rose and Associates (84 cf 33) and O'Reilly and Sochacki (56 cf 20).
- Two firms experienced almost no change (McCabe Partners and Elizabeth Fleming and Associates).
- North and Badgery undertook less work than in the previous year, however it is important to note that this may not be an accurate finding, as data was only available for this firm until June 2008 and therefore two month's of data was not included.

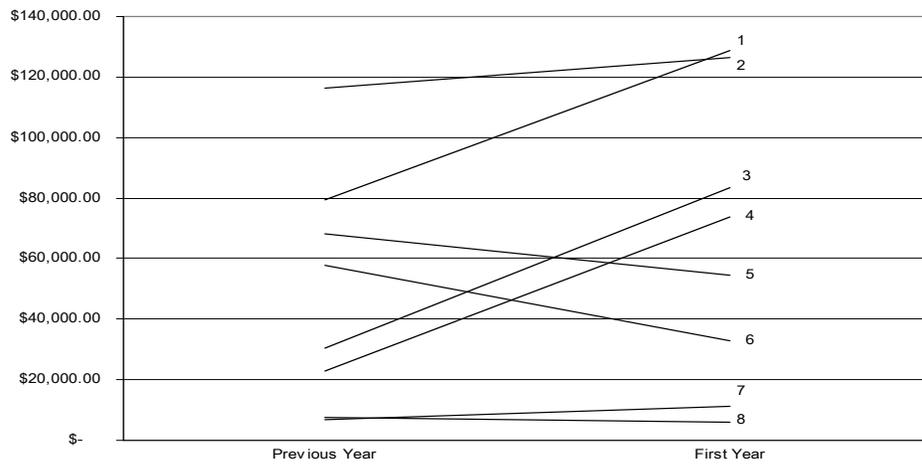
⁹ This period was based on the start dates of firms in the Program which is detailed in Appendix C.

Figure 1 – Total grants approved for all laws types



1. Marion Rose & Assoc.	33	84
2. North & Badgery	122	75
3. Clark Rideaux	37	58
4. O'Reilly & Sochacki	20	56
5. McCabe Partners	45	42
6. Paul Walton	45	29
7. Stuart Percy & Assoc.	2	16
8. Elizabeth Fleming & Assoc.	5	7

Figure 2 – Total payments made for all law types



1. Marion Rose & Assoc.	\$79,375.00	\$128,647.70
2. North & Badgery	\$116,196.17	\$126,519.69
3. Clark Rideaux	\$30,476.50	\$83,472.50
4. O'Reilly & Sochacki	\$22,725.17	\$73,616.50
5. Paul Walton	\$68,058.01	\$54,580.34
6. McCabe Partners	\$57,716.50	\$32,760.20
7. Elizabeth Fleming & Assoc	\$6,930.00	\$11,351.50
8. Stuart Percy & Assoc.	\$7,545.00	\$6,058.90

5.1.1 Criminal law grants and payments

The most common type of legal service provided by firms through Legal Aid was criminal law. Overall, 205 criminal law grants were approved and the total amount paid was \$282,254.13 (see figures 3 and 4). This represents a 20% increase from the 171 criminal law grants approved in the 12 months prior to firms commencing in the Program. Key findings include:

- Five of the eight firms have had more criminal law grants approved since participating in the Program.
- Those with a marked increase since starting in the Program include O’Reilly and Sochacki (22 cf 2), Marion Rose and Associates (40 cf 23) and Clark Rideaux (37 cf 26).

Figure 3 – Total criminal law grants approved

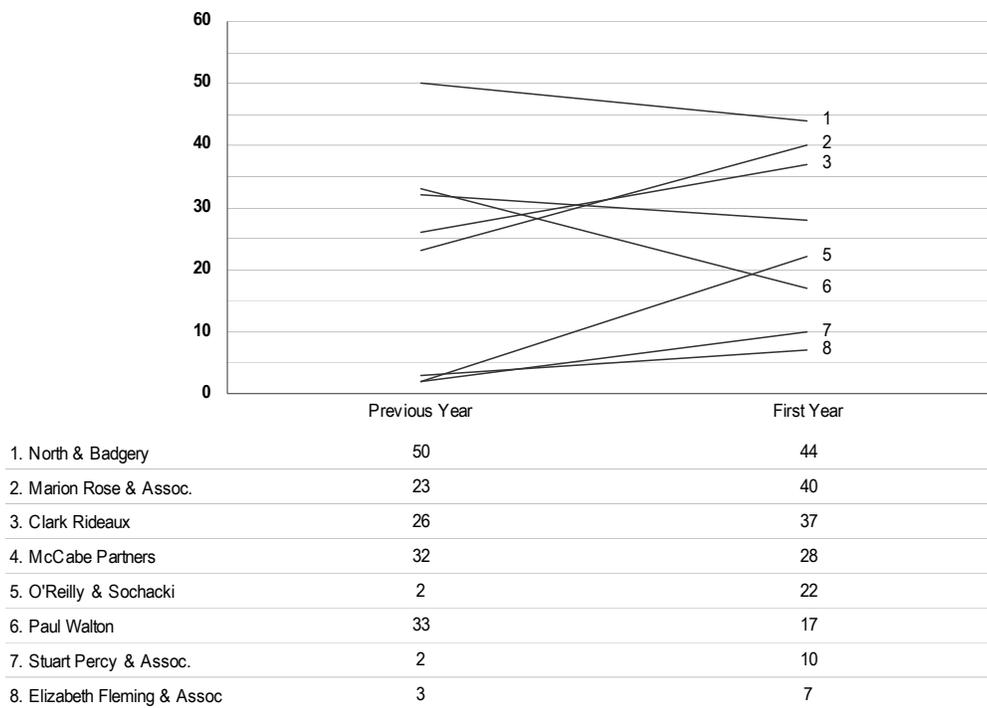
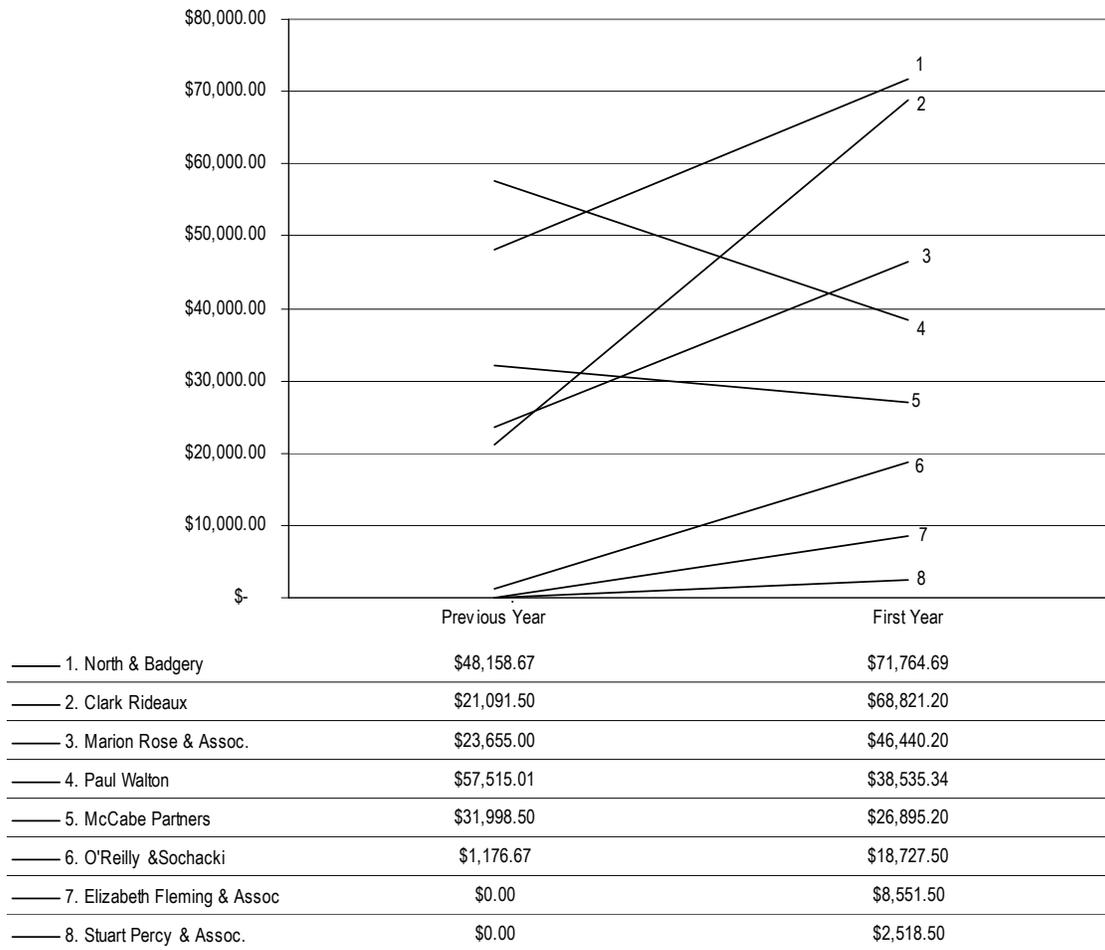


Figure 4 – Total payments made for criminal law cases



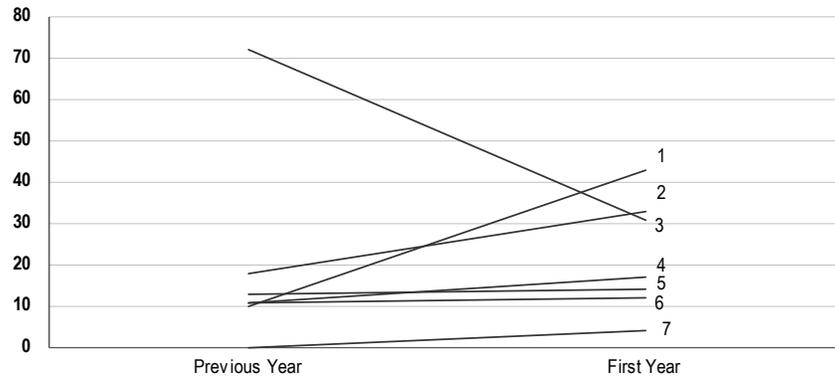
5.1.2 Family law grants and payments

Overall, 154 family law grant were approved during the firms’ first 12 months in the Program (see figure 5). The total cost of this was \$227,939.50 (see figure 6). This represents a 14% increase from the 135 family law grants approved in the 12 months prior to firms commencing in the Program.

Key trends include:

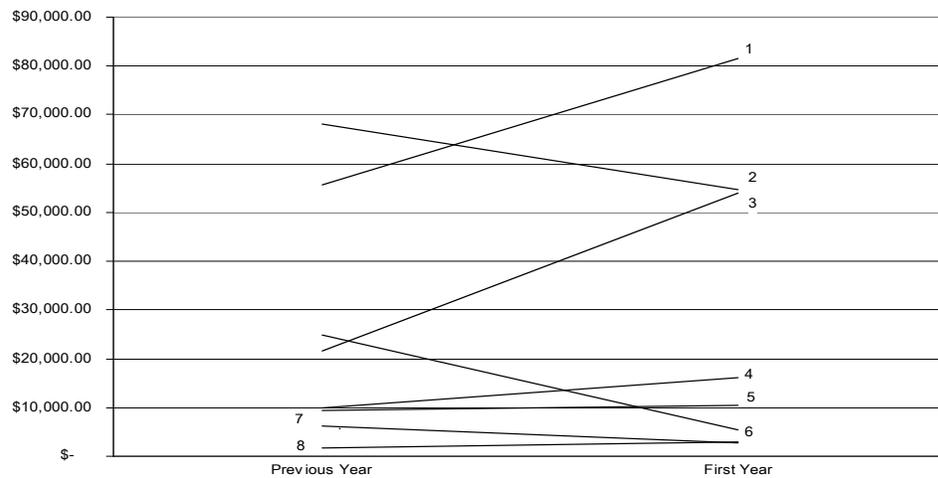
- Seven firms experienced an increase in the number of family law grant approved, although the degree of change was variable across firms.
- One firm (Marion Rose and Associates) had four times the number of grants approved than it did in the previous 12-month period (43 cf 10) and another firm (O’Reilly and Sochacki) almost doubled their number of family law grants approved (33 cf 18).
- A marked decrease was experienced by one firm (North and Badgery), which only had half the number of grants approved than it did in the previous year (31 cf 72). However, this may not be an accurate finding, as data was only available for this firm until June 2008 and therefore two month’s of data was not included.

Figure 5 – Total family law grants approved



1. Marion Rose & Assoc.	10	43
2. O'Reilly & Sochacki	18	33
3. North & Badgery	72	31
4. Clark Rideaux	11	17
5. McCabe Partners	13	14
6. Paul Walton	11	12
7. Stuart Percy & Assoc.	0	4

Figure 6 – Total payments made for family law cases



1. Marion Rose & Assoc.	\$55,690.00	\$81,475.00
2. North & Badgery	\$68,037.50	\$54,755.00
3. O'Reilly & Sochacki	\$21,548.50	\$54,039.50
4. Paul Walton	\$9,875.00	\$16,045.00
5. Clark Rideaux	\$9,382.00	\$10,395.00
6. McCabe Partners	\$24,921.00	\$5,440.00
7. Stuart Percy & Assoc.	\$1,690.00	\$2,990.00
8. Elizabeth Fleming & Assoc.	\$6,095.00	\$2,800.00

5.1.3 Civil law grants and payments

Only a minimal number of civil law payment grants were approved; this work was undertaken by Clark Rideaux (four grants), Stuart Percy and Associates (two grants), Marion Rose and Associates (one grant) and O’Reilly and Sochacki (one grant) (see figure 7). In the case of all four firms, they had no civil grants approved in the previous twelve month period. The total amount of payments made for civil law matters was \$13,322.30, compared with \$8,158.00 in the previous twelve months (see figure 8).

Figure 7 – Total civil law grants approved

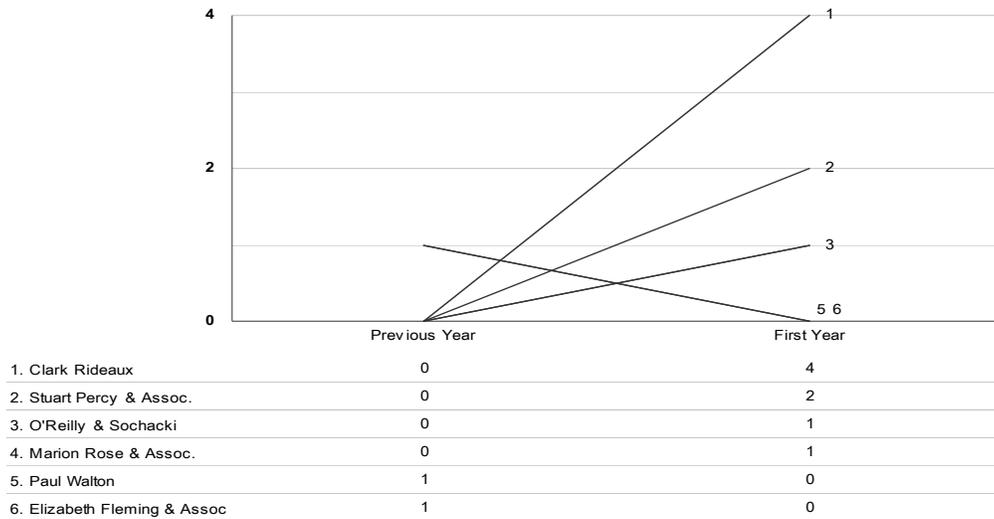
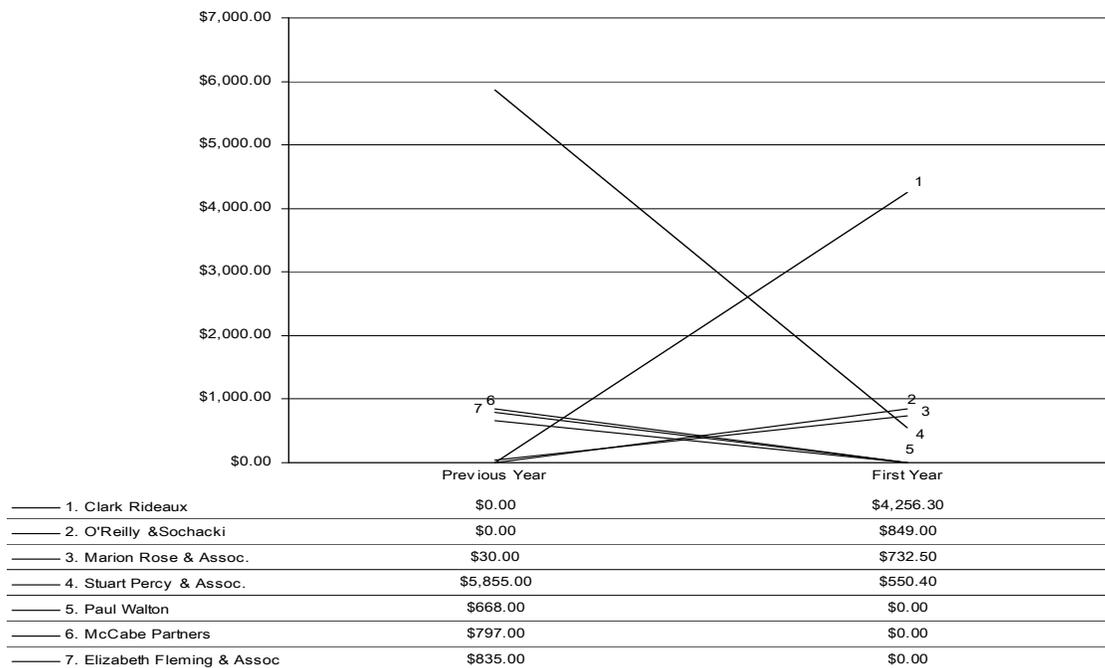


Figure 8 – Total payments made for civil law cases



5.2 Cost of the Regional Solicitor Program

The total cost of the Program, based on the payment of grant, Program costs and LA NSW administration costs is \$838,180.01 – this does not include payment of grants and Program costs for Walker Smith, as data was not provided for this firm due to their late commencement in the Program.

The cost per firm ranged from \$13,015.73 to \$196,411.38, with an average of \$93,131.11 per firm

Table 1 – Overall Program costs.

	Total amount of grant payments	Total amount of Program costs ¹⁰	LA NSW Program administration costs ¹¹	Total
Paul John Walton - April 07 – March 08	\$54,580.34	\$16,360	\$1,664.23	\$72,604.57
Elizabeth Fleming & Assoc ¹² - June 07 – May 08	\$11,351.50	\$0.00	\$1,664.23	\$13,015.73
Clark Rideaux - July 07 – June 08	\$83,472.50	\$49,200.90	\$1,664.23	\$134,337.63
O'Reilly & Sochacki – June 07 – May 08	\$73,616.50	\$28,240.07	\$1,664.23	\$103,520.80
Walker Smith ¹³ - January 07 – December 08	-	-	\$1,664.23	1,664.23
Marion Rose & Assoc. ¹⁴ - July 07 – June 08	\$128,647.70	\$66,099.45	\$1,664.23	\$196,411.38
Stuart Percy & Assoc. – July 07 – Jun 08	\$6,058.90	\$1,589.50	\$1,664.23	\$166,673.13
McCabe Partners - May 07 – April 08	\$32,760.20	\$81,614.00	\$1,664.23	\$116,038.43
North & Badgery ¹⁵ - September 07 – August 08	\$126,519.69	\$50,633.20	\$1,664.23	\$178,817.12
Total	\$517,007.33	\$306,194.60	\$14,978.08	\$838,180.01

¹⁰ Program costs include the amount paid to firms for relocation, advertising, salary subsidy and payment for advice.

¹¹ Administrations costs were based on the Total Estimated Labour Costs divided by the total number of working days in a year – 273. This does not include weekends, annual leave (20 days), other leave eg personal (10 days) or public holidays (10 days). For the purposes of estimating the administration costs for each firm in the Program, the total amount expended by LA NSW (\$14,978.08) was averaged across the nine firms. This is only an estimate, and time spent by LA NSW administering the Program in each firm may vary. Details of administration costs are provided in Appendix C.

¹² No data was provided for this firm.

¹³ No data was provided for this firm.

¹⁴ \$1848.00 paid to Marion Rose in 2007/08 was deducted from the total amount of payments, as LA NSW advised that this sum was not payment for salary subsidy, recruitment or advertising.

¹⁵ Data was only provided until June 2008

5.3 Alternative options to the Program

Alternative options to the Program that would still provide similar access to legal services in regional and remote areas is limited to the establishment of a LA NSW office in these locations. Other options that would also provide affordable legal counsel, such as flying in Legal Aid lawyers on a fly in/fly out basis, would not provide easy and equitable access to legal services for people living in geographically isolated areas.

LA NSW provided details on the budget and expenditure for offices in three locations in NSW, which are presented in the table below. This is not an exact comparison as the smallest offices were Orange and Tamworth, which each had four lawyers¹⁶.

Table 2 – Cost of LA NSW Regional Offices for financial year ending June 2008

Location	Budget	Actual
Tamworth	\$889,584	\$979,971
Orange	\$1,053,112	\$1,234,629
Nowra	\$934,355	\$790,803

A comparison of sections 5.2 and 5.3 is covered below

5.4 Outcomes and benefits

The data provided by LA NSW for the cost benefit evaluation demonstrates that the Program has achieved a number of outcomes and benefits, which is supported by qualitative evidence from the in-depth interviews with firms and their perceptions of cost-efficiencies.

A number of key outcomes and benefits were identified in the analysis:

- *Increase in Legal Aid work by private firms* - as previously reported, 367 Legal Aid grants were approved for firms during their first 12 months of participation in the Program; this was a 19% increase from the 309 grants approved in the previous 12 month period. This indicates that the Program has successfully met one of its rationales, which is to provide rural clients, particularly those suffering financial and/or social disadvantage, with improved access to legal advice and representation.
- *Lower cost than the only alternative option* - the cost per firm participating in the Program is much lower than the only alternative option available ie the establishment of an LA NSW regional office in each location. This is based on the budget and expenditure of three offices in Orange, Tamworth and Nowra (as set out in Table 2) – the Program cost per firm (\$13,015.73 to \$196,411.38) is a fraction of the cost of a regional LA NSW office (albeit with a smaller number of staff). Indeed, the entire cost of the Program is only slightly more than the actual cost of running the smallest LA NSW office (with four staff) for which data is available. For which data is available (\$798,803).
- *Relatively low costs associated with the Program* - apart from the provision of wage subsidies and allowances for relocation, recruitment and advertising, there are minimal resource requirements on LA NSW.
- *Incentive for firms to undertake more Legal Aid work* - some firms reported that without the salary subsidy, they would not undertake as much Legal Aid work. This is based purely on cost, as the choice would be between a higher-fee paying client and a Legal Aid client.

¹⁶ Disbursements were excluded from calculations both of costs of the Regional Solicitor Program and running a LA NSW office.

- *Meeting target of 75% Legal Aid work* - LA NSW expressed concern during the consultations that the targets set may not be met. However, reports from firms participating in the Program strongly indicate that they are either close to meeting their target of 75% Legal Aid work, or in the great majority of cases are in fact exceeding the required proportion of work. In several firms, the Regional Solicitor was doing 100% Legal Aid work and in one instance this was overflowing onto other partners/solicitors in the firm.
- *Other cost efficiencies* - it would appear that there are other cost efficiencies of the Program such as familiarity with local court staff and systems, ready access to office facilities and continuity of community relations arising from permanent placement in each location.

5.4.1 Drawbacks and limitations

Several firms report that their involvement in the Program had affected it from a cost efficiency perspective and they have had to cover additional costs which are not recognised in the current Program contract. For example, one firm needed to employ extra administrative staff to cope with the extra demands that the Program directly placed on the firm, through the claims and receipts processes. Further, the Program does not allow for any contingency when the Regional Solicitor takes annual leave; the flow of Legal Aid work is directed on to other partners which is not as lucrative as other work.

A further example of additional costs is travel. The remote locations result in a significant amount of travel when visiting clients or attending court in nearby areas. Currently, the cost of travel (both time and petrol) is not covered by LA NSW under the Program, and therefore it is not worthwhile for firms to take on the cases that require large amounts of travel.

A future concern for firms is that the salaries of the Regional Solicitors are likely to increase over the two-year period. For example, in the first year they may be on \$70,000 which is a good salary for regional areas and acts as an incentive to apply and take part in the Program. However, in the second year, the Regional Solicitor may want a pay increase as they become more competent. This is an issue for consideration by firms and LA NSW.

6 Conclusions and future directions

6.1 Conclusions

Overall, the Program has been effective and had marked achievements for modest resource investment. At this stage of the Program, it appears to be meeting its aims and key outcomes to date include:

- working in partnership with private law firms to place someone permanently on the ground in nine regional areas
- improving the availability and accessibility of Legal Aid advice and representation for clients in regional and rural areas, particularly those suffering financial and/or social disadvantage; this includes providing access to a broader range of Legal Aid work in some locations
- providing a wage subsidy for firms to undertake more Legal Aid work, which reduces the strain on regional Legal Aid offices
- assisting Legal Aid and other legal services/firms in instances where there are conflict of interest issues.

There have been some challenges experienced by participants in the Program. The two key issues have been overcoming recruitment difficulties and secondly, dealing with tensions between the Program's target group and the ideal level of experience to undertake Legal Aid work.

The cost benefit evaluation indicates that for a relatively modest cost, participating firms appear to be meeting the Program's priorities and are having a major and positive impact on the firms and for disadvantaged people in rural and remote localities requiring legal services.

The following section details a number of suggested ways forward for LA NSW's consideration. These include possible directions for the second half of the Program and beyond.

6.2 Suggested future directions

6.2.1 For current participating practices

Provide administrative support and increase the level of direction received from LA NSW

It is recommended that the level of support and direction given to participating practices by the LA NSW continue and be further strengthened through:

- Developing Program guidelines that clearly stipulate: the objective and function of the Program; the role and responsibilities of the participating firm and the Regional Solicitor; the processes for Program reporting and claims; the scope of the Program; and other Program entitlements (eg professional development). It is envisaged that such a document would reduce the number of enquiries directed to the LA NSW.
- Encouraging contact between Regional Solicitors in the Program. This could include creating a group email list of Regional Solicitors (subject to their permission) to allow them to contact each other and create a support network. This is especially important for less experienced solicitors and those who are newly relocated to a remote area. LA NSW could also explore other strategies to encourage contact, such as Regional Solicitors visiting each other if they go to each others' locations, and networking sessions at the LA NSW annual conferences.
- Continuing the induction sessions run by the LA NSW and ensuring that all Regional Solicitors participate.
- Maintaining the designated contact in the LA NSW to respond to requests for information and direction.

Provide greater assistance with recruitment

The significant challenge of attracting qualified professionals to regional and remote areas is not unique to this Program or the legal sector. Nonetheless, it represents the major challenge for the Program and more could be done to assist private firms in the Program through:

- Increasing the recruitment allowance to cover more of the time and financial costs associated with advertising the position and interviewing candidates.
- Using existing networks within LA NSW, such as tapping into the pool of law students who received funding from LA NSW while studying; also through the LA NSW Graduate Program and students who complete their Practical Legal Training with LA NSW but do not have a solicitor position at LA NSW
- Using any existing networks the LA NSW has in regional areas eg regional Law Societies, other LA NSW offices in regional locations.

Provide greater emphasis on professional development

Given that the Program is targeted at less experienced lawyers, and that Regional Solicitors are required to practice across three significant substantive areas of law, access to professional development activities is critical.

Overall, firms recognise the importance of supporting their Regional Solicitor and are providing the necessary training and mentoring. In most cases, the Regional Solicitor has had full access to all partners who are experts in their chosen area of law.

Possible options that could be considered to enhance the professional development opportunities for Regional Solicitors include:

- Firms continuing, or taking on, a commitment to provide training and mentoring to their Regional Solicitor. This should be emphasised in the Program guidelines as a key responsibility for firms participating in the Program.
- LA NSW covering the travel costs associated with Regional Solicitors attending LA NSW conferences and training sessions.
- Firms identifying professional development needs as soon as the Regional Solicitor commences in the job, and the employer and LA NSW identifying formal opportunities to undertake this training as soon as possible. There should be a separate budget allocation from LA NSW for this purpose.
- Providing Regional Solicitors with access to a formal mentoring arrangement.
- Participants in the Program having full access to all electronic training materials produced by LA NSW; these should be promoted and made available on commencement of the Program.
- Creation of a Regional Solicitor Program Coordinators Position to implement and administer all aspects of the Program.

Assist practices form better working partnerships with other legal services in their regional areas, such as the Duty Roster and other Legal Aid Regional Programs

There is scope to improve the links between the Program and other LA NSW programs. For example, the Program is currently working in isolation from other services such as the Duty Roster System. In addition the Program also has limited contact with the CLSDP. There is scope to increase communication with other programs and services and to promote awareness of the Program through existing channels such as existing email lists of services and firms in different rural and remote areas.

6.2.2 Beyond the two years

Reconsider the target group for the Program

There appears to be some tensions between the Program's rationale - in that it is geared towards very young and relatively inexperienced solicitors - and the reality of the challenging work funded by Legal Aid, which they are expected to do. This work covers three substantive areas of law: family, criminal and civil. These are three large and substantive areas of law in which the Regional Solicitor will have no or very limited experience, if they are in the intended target group for the Program. This existing tension suggests that the Program:

- Be pitched at solicitors with a greater level of experience eg several years practising law (possibly more).
- Place a greater emphasis on professional development and support eg identifying up front professional development needs and ensuring formal training and support is available for the solicitor. This could include having a budget allocation from LA NSW for this purpose. A further option is organising for a formal mentor, possibly outside the firm, and also emphasising this is an important role of the employer.
- Organise for a position to be specifically created within LA NSW. The position would be responsible for:
 - developing guidelines and procedures
 - developing and conducting an induction Program
 - conducting regular reports, reviews and audits to ensure that the areas of need identified, continue to be the areas with the greatest need and that firms provide the required level of service delivery (75%)
 - developing partnerships with the other regional and rural Programs that LA NSW runs to ensure a coordinated approach to service delivery.

This position could also address the issues regarding the point of contact for the participating firms in the Program and ensure a level of consistency.

If the Program is extended, a scoping study should be conducted by the LA NSW

If the Program is rolled out further, it is recommended that systematic scoping of future planned locations takes place. This exercise would identify areas which have unmet demand and/or are isolated from the nearest Legal Aid office either through distance or lack of suitable transport. Further to this, the scoping work would identify firms that are currently undertaking Legal Aid work, the types and number of firms undertaking it, the capacity or need to increase the amount of Legal Aid work done in the area, and the potential impact of introduction of the Program. Ideally the Program should be targeted at locations where there appears to be a high level of unmet demand for Legal Aid work.

It is possible that there is still unmet demand in areas where the Program is currently operating, however most participating firms are meeting, or exceeding their target amount of Legal Aid work and would not be able to address this potential unmet need. There may be scope to fund more than one firm and/or more than one solicitor per firm if the firm covers a number of court locations or has a number of office locations in a rural area if there is demand.

Further develop the application process so that firms must address set criteria on which selection is based

At present there is no set of criteria that firms must address to be considered for the Program. It is recommended that LA NSW further develops the application process to include set criteria that practices are evaluated on for selection to participate in the Program.

Participating practices should be notified of LA NSW's intention to either continue or cease the Program at least six months before the current Program funding ends

It is important that LA NSW notifies all participating firms about its intentions for the Program as they will need to make decisions about retaining the current Regional Solicitor and/or may need to recruit a replacement. If the Program ends, the firms will need to address their current Legal Aid work load, as it may be necessary to reduce this over a period of time due to the loss of the wage subsidy.

Appendix A List of stakeholders consulted

A.1 List of stakeholders consulted.

- Representatives from firms and the Regional Solicitors participating in the Program:
 - Batemans Bay -Elizabeth Fleming & Associates
 - Bega - Clark Rideaux
 - Murwillumbah - O'Reilly & Sochacki
 - Cowra - Marion Rose & Co
 - Young - McCabe Partners
 - Dubbo - North & Badgery
 - Taree - Walker Smith
 - Moree - Stuart Percy & Associates
 - Broken Hill - Paul John Walton Solicitors
- Private practices in some Program locations which are not participating in the Program
- Regional Solicitors who have exited the Program
- Program managers of the Program from LA NSW
- LA NSW staff administering the CLSD model
- Representatives from:
 - Far North Court Law Society
 - Far West Law Society
 - Far South Coast and Monaro Law Society
 - Mid-North Coast Law Society
 - North & North-West Law Society
 - Orana Law Society
 - Riverina Law Society
 - LA NSW Offices in Dubbo, Nowra and Lismore
 - Cowra Court House
 - Bega Court House
 - Broken Hill Court House
 - Taree Court House
 - Murwillumbah Court House
 - Aboriginal Legal Service
 - Domestic Violence, Family Support and Sexual Assault services
 - Law Society Rural Issues Committee.

* Some stakeholders did not participate in a full interview, but did provide general comments on the Program and Legal Aid services/availability.

Appendix B Discussion Guides

B.1 Regional Solicitor Program Evaluation: discussion guide for partners in participating practices

Introduction

Urbis (a social research consulting firm) has been commissioned by the Legal Aid NSW to evaluate the Regional Solicitor Program.

As you may be aware, the Regional Solicitor Program has been operating since December 2006 and is designed to improve the availability and accessibility of Legal Aid services to disadvantaged clients living in rural, regional and remote NSW.

The evaluation aims to examine the effectiveness of the Program by evaluating the placements made under the Program to date and then to evaluate these placements again in 12 months.

We are currently speaking with a range of key informants (practices and solicitors who have taken part in the Program, people involved in managing the Program and stakeholders such as the NSW Law Society). Today I will be asking you a range of questions on your experience of the Program. It should take up to 30 minutes.

Confidentiality statement

Please note that we'll treat everything you say in this interview as confidential and no individuals or their views will be personally identified in the report, including direct quotes. The report will only list the names of the organisations consulted.

Introduction

1. Can you please tell me a little about your firm- how many practitioners, years of establishment, main areas of law practiced, client profile, amount of Legal Aid work undertaken prior to involvement in the Regional Solicitor Program?
2. What were the key motivators for your practice in applying to join the Program?

Process and structure evaluation/Implementation of the Program

3. Can you please describe each of the following elements of the Program, including its strengths and weaknesses?
 - The process of applying to take part in the Program?
 - The process of recruiting a practitioner funded by the Program?
4. What support did your firm receive from Legal Aid in the recruitment and retention of the practitioner/s involved in the Program? Was this adequate? Why do you say that?
5. What support has your firm received in the day to day administration of the Program? How adequate has this been? Why do you say that?
6. What support did the participating solicitor receive in return for their involvement in the Program? How adequate has this support been? Why do you say that?
7. Do you believe the structure of the subsidy your firm receives for participating in the Program reflects the amount of Legal Aid work currently undertaken by the firm? Why do you say that?
8. Does the Regional Solicitor Program link to any other programs or services for regional practices? How could this aspect of the Program be improved?

9. How replicable is the Program? What implementation factors need to be considered for future delivery?
10. Thinking about the overall structure of the Regional Solicitor Program and how it is operated, what are the main improvements required? What needs to be retained?

For firms that have withdrawn from the Program only:

11. What were the main reasons your firm decided to withdraw from the Program?
12. In future, how can Legal Aid ensure the ongoing participation of firms in the Regional Solicitor Program?

Impact analyses

13. To what extent has the Regional Solicitor Program assisted your firm provide greater access to legal services by disadvantaged people in your local area? What do you think has been the overall impact of the Program on access to legal services in your local area?
14. What factors have influenced access to legal services by disadvantaged people in your area? To what extent has the Program been able to overcome barriers to access?
15. To what extent has the Program encouraged young solicitors to practice in your local area? What factors have influenced the capacity of the Program to fulfil this goal?
16. Overall, what have been the key outcomes/main achievements of the Program in your area? To what do you mainly attribute these successes?
17. Are there any particular needs of clients in your area that have emerged that you think have not been met by existing Programs and services? If so, what are these needs, and how might they be best addressed?
18. How, if at all, has the Program affected other firms in your area that are not involved in the Program?

Cost benefit

19. How has your firm's involvement in the Program affected it from a cost efficiency perspective? Can you provide examples?
20. Do you believe there are ways the funds could be invested by Legal Aid to better meet the goal of improving access to legal services in regional areas? To better meet the goal of encouraging young solicitors to practice in regional areas?

Underlying rationale of the Program

21. The stated aims of the Regional Solicitor Program are:
 - Providing employment opportunities for young lawyers in rural communities
 - Providing rural clients, particularly those suffering financial and/or social disadvantage, with improved access to legal advice and representation.

How appropriate are these objectives? Why do you say that?
22. The Program is specifically targeted at young solicitors with 5 years' experience or less. How appropriate is this specification and why?
23. It is the intention of the Program that solicitors placed in firms under its auspices stay with the firm for 2 years. Is there a need to review this requirement? Why/why not?

Other

- 24.** Are there any other comments that you would like to make that are relevant to this evaluation?

B.2 Regional Solicitor Program Evaluation: discussion guide for participating solicitors

Introduction

Urbis (a social research consulting firm) has been commissioned by the Legal Aid NSW to evaluate the Regional Solicitor Program.

As you may be aware, the Regional Solicitor Program has been operating since December 2006 and is designed to improve the availability and accessibility of Legal Aid services to disadvantaged clients living in rural, regional and remote NSW.

The evaluation aims to examine the effectiveness of the Program by evaluating the placements made under the Program to date and then to evaluate these placements again in 12 months.

We are currently speaking with a range of key informants (practices and solicitors who have taken part in the Program, people involved in managing the Program and stakeholders such as the NSW Law Society). Today I will be asking you a range of questions on your experience of the Program. It should take up to 30 minutes.

Confidentiality statement

Please note that we'll treat everything you say in this interview as confidential and no individuals or their views will be personally identified in the report, including direct quotes. The report will only list the names of the organisations consulted.

Introduction

1. Can you please tell me a little bit about yourself- where you're from originally, how many years you've been practicing, your main areas of practice, any previous Legal Aid work undertaken, etc?
2. How did you find out about the Regional Solicitor Program? What were the key things that motivated you to participate in the Program?

Process and structure evaluation/Implementation of the Program

3. Can you please describe each of the following elements of the Program, including its strengths and weaknesses?
 - The process of applying to take part in the Program?
 - The induction process for the Program?
 - Relocating and starting up at the firm?
 - Ongoing professional and personal support offered through the Program?
4. If you relocated with a partner and/or family, what support did they receive from the firm? From Legal Aid? Was this adequate? Why do you say that?
5. Do you believe the structure of the subsidy your firm receives for participating in the Program reflects the amount of Legal Aid work you undertake with the firm? Why do you say that?
6. Has the experience of being involved in the Program met with your expectations? Why do you say that?

7. What do you think can be done to encourage firms and individual solicitors to participate in the Program in future?

For solicitors who have left the Program only:

8. How long did you stay at (participating firm)?
9. What were the key factors in your decision to leave?
10. How can the Regional Solicitor Program assist in future with the retention of solicitors at participating firms? What are the key issues the Program needs to address in order to retain solicitors?

Impact analyses

11. To what extent has the Program encouraged you to continue to practice in a regional area? What factors have influenced the capacity of the Program to fulfil this goal?
12. Overall, what have been the Program's impacts on you to date?
13. What do you think has been the overall impact of the Regional Solicitor Program on access to legal services in your local area?
14. What factors have influenced access to legal services by disadvantaged people in the area where your firm is located? To what extent has the Program been able to overcome barriers to access?
15. Overall, what have been the key outcomes/main achievements of the Program in your area? To what do you mainly attribute these successes?

Cost benefit

16. How has your firm's involvement in the Program affected it from a cost efficiency perspective? Can you provide examples?
17. Do you believe there are ways the funds could be invested by Legal Aid to better meet the goal of improving access to legal services in regional areas? To better meet the goal of encouraging young solicitors to practice in regional areas?

Underlying rationale of the Program

18. The Program is specifically targeted at young solicitors with 5 years' experience or less. How appropriate is this specification and why?
19. It is the intention of the Program that solicitors placed in firms under its auspices stay with the firm for 2 years. Is there a need to review this requirement? Why/why not?

Other

20. Are there any other comments that you would like to make that are relevant to this evaluation?

B.3 Regional Solicitor Program Evaluation: discussion guide for stakeholders

Introduction

Urbis (a social research consulting firm) has been commissioned by the Legal Aid NSW to evaluate the Regional Solicitor Program.

As you may be aware, the Regional Solicitor Program has been operating since December 2006 and is designed to improve the availability and accessibility of Legal Aid services to disadvantaged clients living in rural, regional and remote NSW.

The evaluation aims to examine the effectiveness of the Program by evaluating the placements made under the Program to date and then to evaluate these placements again in 12 months.

We are currently speaking with a range of key informants (practices and solicitors who have taken part in the Program, people involved in managing the Program and stakeholders such as the NSW Law Society). Today I will be asking you a range of questions on your experience of the Program. It should take up to 30 minutes.

Please note that we'll treat everything you say in this interview as confidential and no individuals or their views will be personally identified in the report, including direct quotes. The report will only list the names of the organisations consulted.

1. Can you please tell me about your role/organisation and its/your involvement in the Regional Solicitor Program?
2. Thinking about the overall structure of the Regional Solicitor Program, its key elements and how it is operated, what are its key strengths and weaknesses? (*prompt: application and recruitment processes, remuneration, conditions and supports for firms/individuals, promotion of Program*)
3. What do you think has been the overall impact of the Program on access to legal services in regional areas? Why do you say that?

(For local stakeholders only)

4. What do you think has been the overall impact of the Program on access to legal services in your local area?
5. What factors have influenced access to legal services by disadvantaged people in your area? To what extent has the Program been able to overcome barriers to access?
6. To what extent has the Program encouraged young solicitors to practice in your local area? What factors have influenced the capacity of the Program to fulfil this goal?
7. Overall, what have been the key outcomes/main achievements of the Program in your area? Have there been any unintended outcomes?
8. Are there any particular needs of clients in your area that have emerged that you think have not been met by existing Programs and services? If so, what are these needs, and how might they be best addressed?
9. How, if at all, has the Program affected other firms in your area that are not involved in the Program?
10. Do you believe there are ways the funds could be invested by Legal Aid to better meet the goal of improving access to legal services in regional areas? To better meet the goal of encouraging young solicitors to practice in regional areas?

11. The stated aims of the Regional Solicitor Program are:
- Providing employment opportunities for young lawyers in rural communities
 - Providing rural clients, particularly those suffering financial and/or social disadvantage, with improved access to legal advice and representation.

How appropriate are these objectives? Why do you say that?

12. How replicable is the Program? What implementation factors need to be considered for future delivery?
13. Does the Regional Solicitor Program link to any other programs or services for regional practices? How could this aspect of the Program be improved?
14. The Program is specifically targeted at young solicitors with 5 years' experience or less. How appropriate is this specification and why?
15. It is the intention of the Program that solicitors placed in firms under its auspices stay with the firm for 2 years. Is there a need to review this requirement? Why/why not?

Other

16. Are there any other comments that you would like to make that are relevant to this evaluation?

Appendix C Additional cost benefit analysis information and data

Table 3 – RSP firms commencement and status details

Location	Firm	Commencement	Status
Broken Hill	Paul Walton	26/3/07 – Solicitor commenced	4/2/08 – Solicitor resigned & firm withdrew
Batemans Bay	Elizabeth Fleming & Ass	18/6/07 – 1st Solicitor commenced 31/3/08 – 2nd Solicitor commenced April 2008	Solicitor resigned Solicitor ongoing Firm requested approval for a 2nd solicitor - to be considered after 24 month evaluation.
Bega	Clark Rideaux	9/7/07 – Solicitor commenced	Solicitor ongoing
Murwillumbah / Tweed Heads	O'Reilly & Sochacki	30/5/07 – Solicitor commenced	Solicitor ongoing
Taree	Walker Smith	7/1/08 – Solicitor commenced	Solicitor ongoing
Cowra	Marion Rose & Ass	9/07 – 1st Solicitor accepted 29/10/07 – 2nd Solicitor commenced	Solicitor withdrew acceptance Solicitor ongoing
Moree	Stuart Percy & Ass	9/7/07 – 1st Solicitor commenced 11/07 – 2nd Solicitor accepted contract 19/5/08 – 3rd Solicitor commenced	Solicitor resigned Solicitor withdrew acceptance Solicitor ongoing
Young	McCabe Partners	14/5/08 – Solicitor commenced	16/7/08 – Solicitor resigned due to family circumstances No solicitor currently appointed
Dubbo	North & Badgery	3/9/07 – solicitor commences	Solicitor ongoing

Table 4 – LA NSW Program Administration Costs

Role	Task and time expended	Rate (\$) ¹⁷	Cost (\$)
Director	Program implementation – 12 days Evaluation – 8 days	478.13	9,562.60
Operations Manager	Program implementation – 3 days	781.36	2,344.08
Executive Assistant	Administration assistance - 12 days	255.95	3,071.40
Total			14978.08

¹⁷ This rate is based on the Total Estimated Labour Costs divided by the total number of working days in a year – 273. This does not include weekends, annual leave (20 days), other leave eg personal (10 days) or public holidays (10 days).