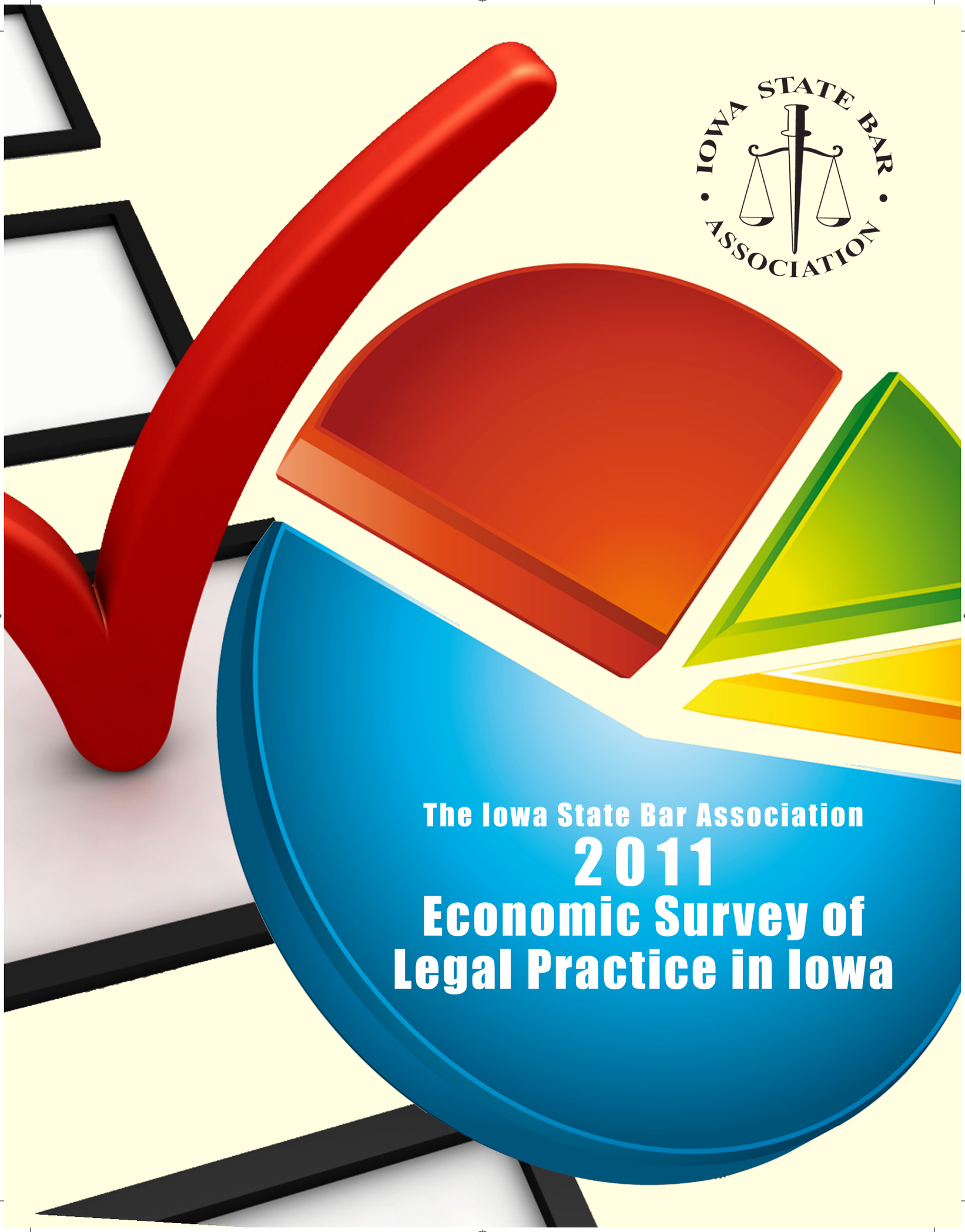

The Iowa State Bar Association

2011 Economic Survey of Legal Practice in Iowa

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Introduction

In the Fall of 2011, The Iowa State Bar Association (ISBA) conducted its periodic survey of members in the Association regarding issues important to the practice of law in Iowa. The previous survey was conducted in 2006 and some data from that survey will be used in this report to demonstrate changes and identify trends in the practice of law.

The objective of the survey is to collect data related to the following areas:

- Demographics of practicing attorneys in Iowa
- Demographics of the legal practice in Iowa
- Practice management issues
- Perceptions about current and future economic circumstances related to the legal practice

Background

The Iowa State Bar Association is a voluntary organization of more than 8,000 lawyers and judges who are licensed to practice law in the state of Iowa. Oldest of the voluntary bar associations in the country, The ISBA has been in continuous operation since its founding in 1874.

The membership of the ISBA represents approximately 90% of all practicing attorneys and judges in Iowa. It is a geographically diverse profession spread across the state in both rural and urban areas. The size of practice ranges from solo practitioner to large firms of 50 to 75 attorneys. The following illustration indicates a breakdown of the current ISBA membership by judicial district:

Membership by Judicial District

District	Percent of Membership	Attorneys
1A	3.6%	214
1B	4.3%	260
2A	3.4%	203
3r2B	6.4%	384
3A	3.4%	204
3B	4.9%	297
4	4.2%	250
5A	3.7%	222
5B	1.2%	74
5C	35.9%	2151
6	16.2%	968
7	7.3%	440
8A	3.3%	198
8B	2.1%	127
	Total	5,992

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Economic Survey

This self administered survey was conducted by email and sent to all members of the ISBA including those out of state. Approximately 8,000 attorneys were sent this survey. ISBA members were asked to complete and return the survey. A total of 858 were received which represents a 10.7% response rate. The responses appear to be representative of the entire ISBA membership in terms of geographic distribution, gender, and areas of practice. Not all respondents replied to each question, so in some circumstances a smaller number of responses were used to compile the data.

While the data gathered by the 2011 Economic Survey provides comprehensive and valuable information about the practice of law in Iowa, some limitations to the data exist. On the whole, it is important to understand that data collection in a social science environment is not perfect and is subject to error. The 2011 survey was not randomized and was voluntary. These factors create selection biases. In other words, the sample may not be completely representative of all attorneys or may include over or under representation of certain segments of the legal community. Additionally, it is worth noting that as with any survey there is no way to avoid possible misinterpretation of questions. Even with these caveats, we believe that valuable information can be drawn from our results.

Survey Demographics

The following is a breakdown of where the respondents of the survey currently practice which indicates a representative distribution in all areas of the state.

Judicial District of principal office location or most work is done:		
Judicial District	Percent	Responses
1A	4.8%	40
1B	4.2%	35
2A	4.2%	35
2B	6.2%	52
3A	2.6%	22
3B	5.7%	48
4	4.7%	39
5A	9.6%	80
5B	2.4%	20
5C	20.9%	175
6	14.3%	120
7	5.0%	42
8A	3.2%	27
8B	1.0%	8
Out of State	11.2%	94
	Total	837

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For the purpose of this report, an arbitrary distinction is made to define rural areas of practice as being communities with a population up to 25,000 residents and an urban practice area as being above 25,000 people. Approximately 25% of the responses indicated that their principal office is located in a rural community. The other 75% of attorneys indicated that they practice or work in an urban or suburban area of Iowa.

Population of the community of your principal office?		
People	Percent	Responses
Under 3,000	7.8%	66
3,001 to 6,000	5.5%	47
6,001 to 25,000	12.1%	103
25,001 to 60,000	10.0%	85
60,001 to 100,000	12.6%	107
Over 100,000	52.0%	442
	Total	850

Most of the responders to the survey indicated that they are currently a full time attorney, judge or other professional with a law degree (91%). Others indicated that they were retired, semi retired or part time attorneys (7%). And only 2% identified themselves as seeking employment.

The survey charted the numbered of years in practice ranging from newly admitted to being licensed for 40 plus years. It also asked the age of the attorney. Here are those results:

Age of attorney?		
Age	Percent	Responses
Under 30 years	12.5%	107
31 to 35	13.2%	113
36 to 40	9.6%	82
41 to 45	8.6%	74
46 to 50	9.6%	82
51 to 55	12.0%	103
56 to 60	14.4%	123
61 to 65	11.7%	100
Over 65	8.4%	72
Total		856

Length of time as a licensed attorney?		
Licensed	Percent	Responses
Under 5 years	18.8%	161
6 to 10 years	13.6%	116
11 to 15 years	8.4%	72
16 to 20 years	9.5%	81
21 to 30 years	20.5%	175
31 to 40 years	22.7%	194
40+ years	6.5%	56
	Total	855

The survey indicated that 66% of the responses were from males while 33% were from females. This is reflective of the ISBA membership which identifies 72% as male and 28% as female. The ethnic breakdown of responses shows that minority attorneys represented a very small percentage of the survey with 97% indicating Caucasian as their race.

When asked where they received their law degrees, 80% of the responders attended University of Iowa, Drake University, or Creighton University. But of note is the fact that an additional 141 law schools were represented on the survey.

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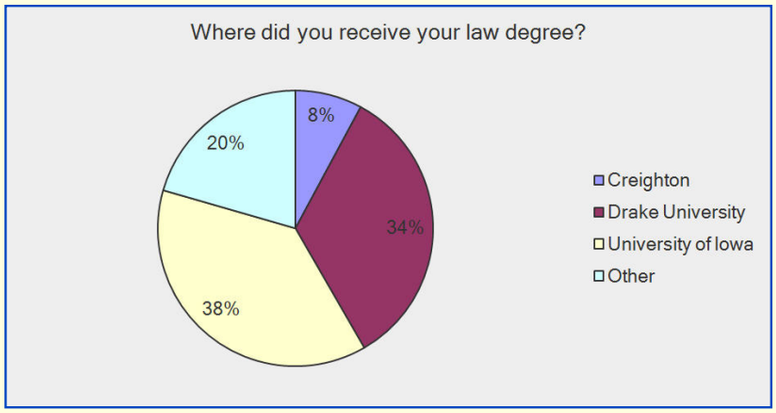

The Practice of Law in Iowa

This portion of the survey focused on areas of practice, fees, billable hours, record keeping and practice management. It is intended to provide a sampling of the practice of law in Iowa, specifically private practice. The following is how the respondents defined their primary legal occupation:

Primary legal occupation?		
Category	**Percent**	**Responses**
Public Defender	0.1%	1
Judiciary	3.7%	32
Private Practice	62.4%	533
Government	10.2%	87
In-House Counsel	11.4%	97
College Professor	1.3%	11
Legal Services Attorney	3.3%	28
Military	0.5%	4
Not-for-Profit	1.1%	9
Non Law-Related	1.2%	10
Retired	1.1%	9
Other (please specify)	3.9%	33
	Total	854

Considering that 63% of the respondents to this survey are in private practice, many of the practice management questions are directed to their attention so that informational issues surrounding the practice of law can be explored. The pool of responses of attorneys in private practice is 533.

The chart below indicates the form of business in which these private attorneys practice.

Private practice, what is the form of business under which you practice law?		
	Percent	**Responses**
Sole practitioner	20.6%	110
Sole practitioner sharing office space	5.8%	31
Associate	17.8%	95
Sole practitioner with associate	2.6%	14
Partner	23.1%	123
Legal Corporation	13.7%	73
Professional Limited Liability Company	14.6%	78
Other	1.7%	9
	Total	533

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The size of a law firm can vary in Iowa from a sole practice to a firm with well over 50 attorneys. This chart shows the various sizes of firms represented in this survey.

Size of law office, including self?		
Firm Size	Percent	Responses
1 lawyer	23.7%	127
2 lawyers	12.9%	69
3 to 5 lawyers	20.1%	108
6 to 10 lawyers	14.9%	80
11 to 15 lawyers	6.9%	37
16 to 25 lawyers	5.8%	31
26 to 50 lawyers	7.5%	40
Over 50 lawyers	7.8%	42
	Total	534

The survey indicated that 50% of the attorneys have employers or firms that pay their ISBA annual dues. All others pay their dues themselves or some combination of both. This is important data to monitor as the leadership of the ISBA works hard to keep dues affordable while providing value added member services.

Fields of practice or specialties tend to define an attorney's practice. But surprisingly when asked in this survey if they limit their field of practice to two areas or less, 70% indicated that they do not. Therefore, a follow up question asked of the respondents was to select a single field of practice for which their individual time and effort produced the most fees in the last year. They were also asked how much fee producing time was devoted to this single practice area. Here is the breakdown of responses.

Single field of practice from which individual time and effort produced the greatest dollar amount of fees last year.		
Field of Practice	Percent	Responses
Antitrust	0.0%	0
Banking	1.5%	8
Bankruptcy	2.1%	11
Civil Rights	0.0%	0
Criminal Defense	4.9%	26
Criminal Prosecution	0.2%	1
Environmental Law	0.0%	0
Immigration and Naturalization	0.8%	4
Intellectual Property	0.6%	3
Employment Law	2.8%	15
Estate Planning, Probate & Trusts	22.5%	119
Family Law	15.1%	80
Insurance Law (not torts)	0.8%	4
Labor and Relations for Management	1.5%	8
Labor and Relations for Employees/Unions	0.2%	1
Legislation and Lobbying	0.0%	0
Municipal Law	1.3%	7
Natural Resources Law	0.0%	0
Pensions and Employee Benefits	0.2%	1
Personal Injury (defense)	5.3%	28
Personal Injury (plaintiff)	7.0%	37
Product Liability (defense)	0.6%	3
Product Liability (plaintiff)	0.6%	3
Professional Malpractice (defense)	0.9%	5
Professional Malpractice (plaintiff)	0.2%	1

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Public Utilities and other Regulated Industries	0.8%	4
Real Estate	8.1%	43
Securities	0.2%	1
Taxation (Corporate)	0.0%	0
Taxation (Individual/Small Business)	1.7%	9
Workers' Compensation	4.3%	23
General Corporate (not covered above)	4.3%	23
General Personal Matters (not covered above)	1.3%	7
Other Administrative Law/Gov Agency Matters	0.8%	4
Other	9.6%	51
	Total	530

Fee-producing time devoted to the field indicated in the previous question?		
Percentage of Time	Percent	Responses
Less than 20%	4.4%	23
20% to 39%	21.2%	112
40 to 59%	28.4%	150
60% to 79%	22.2%	117
80% to 100%	23.9%	126
	Total	528

The hourly rate for legal services seems to be increasing statewide in comparison to the data from the 2006 economic survey. For example, in 2006, the survey indicated that 59% had an hourly rate of $150 or less compared to the current survey where that number has decreased to 30%. The same comparison can be made for contingency fees. The 2006 survey showed that 67% of the attorneys charge between 33% and 39% on a contingency fee basis. That number has increased on the current survey to 77%. The following is a chart regarding fees.

Usual hourly rate		
Rate	Percent	Responses
Less than $95	1.6%	8
$96 to $125	6.3%	32
$126 to $150	21.8%	111
$151 to $175	17.9%	91
$176 to $200	20.8%	106
$201 to $225	11.8%	60
$226 to $250	8.4%	43
$251 to $275	3.7%	19
$276 to $300	2.9%	15
Over $300	4.7%	24
	Total	509

Contingency fee percentage		
Fees	Percent	Responses
25% or less	10.5%	33
26% to 32%	12.1%	38
33% to 39%	76.7%	240
40% to 50%	0.6%	2
	Total	313

The next part of the survey continued the topic of fees but explored how attorneys determine fees and discuss fees with their clients. The following chart illustrates the responses of the attorneys regarding how they determine fees for a particular case.

Factors in determining rates	Very Important	Moderately Important	Not at all Important	Responses
Novelty & difficulty of the questions involved	217	230	50	497
Results obtained	123	240	134	497
Your reputation, experience and ability as a lawyer	298	181	23	502
Amount of time involved	326	136	37	499
Other clients not accepted due to conflict	51	158	282	491
Fees customarily charged in your area for similar work	236	227	39	502
Time limitations imposed by client or circumstances	160	246	91	497
			Total	508

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The discussion of fees with clients is an important part of establishing the attorney/client relationship. 92% of the responders indicated that they make it a regular policy to initiate a discussion of fees with their clients. Of those, 69% indicated that these discussions take place during the initial interview. The final question about fees asked about providing a written verification of the fee discussion with clients. Over 52% of the attorneys indicated that they always provide written documentation of their fee discussion with another 42% only sometimes providing something in writing.

Next, the survey measured the amount of time spent each day and week practicing law. An overwhelming majority (71%) of the attorneys devote between 40 & 60 hours per week to the practice of law which is a slight increase from the data reported in 2006 (68%). On average, 58% of the attorneys responding indicated that they are able to produce 5 to 7 chargeable hours per day.

Chargeable hours, whether directly billed or not, produced a day?		
Hours per day	Percent	Responses
Less than 4	10.7%	55
4	12.8%	66
5	19.0%	98
6	21.7%	112
7	16.5%	85
8	8.3%	43
More than 8	6.6%	34
NA	4.3%	22
	Total	515

The survey then explored the minimum number of billable hours required by a law office or firm. 68% of the responses indicated that there were no requirements.

Billable hour requirements	Percent	Responses
1,000 or fewer	0.8%	4
1,001 to 1,500	2.1%	11
1,501 to 1,700	5.6%	29
1,701 to 1,850	10.1%	52
1,851 to 2,100	2.3%	12
2,101 or greater	0.4%	2
No requirement	67.8%	350
NA	10.9%	56
	Total	516

When it comes to keeping time records, there are a variety of strategies and products used by attorneys. Nearly three quarter of the attorneys in the survey indicate that they keep time records in 5 or 6 minute intervals. Other intervals were reported but this seemed to be most common. Most attorneys keep a record and charge for time spent on the telephone (82.2%). The software program most commonly used by the attorneys is TimeSlips at 44.2% of the responders. Several other programs were listed as currently being used.

As technology continues to be developed, the ISBA is very interested in staying up to date with the preferred modes of communication of its members so that it can develop applications that will be useful to attorneys. The survey indicated that 67% of the responders either own or use a smartphone or mobile device as part of their practice. When asked further, here is a list of the devices currently being used.

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Types of mobile devices		
Device type	Percent	Responses
iPhone	28.8%	150
iPad	17.5%	91
Android Phone	36.0%	188
Android Tablet	2.0%	10
Blackberry Phone	31.0%	161
Blackberry Tablet	0.0%	0
Windows Phone	3.3%	17
Windows Tablet	0.5%	3
Other		34
	Total	521

The survey explored the billing practices in offices and firms. They were asked about the frequency of billing clients. Most of the responses (80%) ranged from upon completion to monthly. The survey continued by inquiring about the fees that attorneys fail to collect. Interestingly, you will find that in 71% of the time, the attorney will not take further action against the client. Here is what the results show.

Percentage of fees that fail to be collected?		
fees	Percent	Responses
None	4.0%	20
Less than 5%	40.0%	202
5% to 9%	22.4%	113
10% to 19%	19.0%	96
20% to 29%	6.5%	33
30% to 39%	1.6%	8
40% or more	1.0%	5
NA	5.5%	28
	Total	505

Action in reference to fees charged but not paid in due course:		
Action	Percent	Responses
Take no action	27.5%	137
Dun client, take no further action	43.5%	217
Turn account over to a collection agency	4.8%	24
Turn account over to another lawyer	1.8%	9
Sue client if all other options fail	11.2%	56
NA	11.2%	56
	Total	499

As part of the survey, the attorneys were asked their opinion about the practice of law and the demand for legal services in their community. The perception of the attorneys is that the demand has remained stable (44%) or grown slightly (26%) in the past three years. Nearly 83% of the responses were optimistic about the next five years regarding billable legal services with the need at least remaining stable and many others seeing growth.

Income and overhead expenses were evaluated as it relates to the practice of law in Iowa. Attorneys were asked to estimate the percentage of their gross income that is spent annually on overhead. Sole practitioners were asked to take into consideration all salaries and expenses in their offices while partnerships were ask to also consider the salaries of associates as overhead. The attorneys were then asked to estimate the firm's average hourly overhead expenses per attorney for each hour billed. The responses to these questions can be found on the following page.

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Percentage of gross income spent on overhead		
Overhead expenses	Percent	Responses
Under 25%	8.8%	43
26% to 35%	15.6%	76
36% to 45%	28.0%	136
46% to 55%	22.2%	108
56% to 65%	6.6%	32
Over 65%	4.5%	22
NA	14.2%	69
	Total	486

Hourly overhead expenses for each hour billed.		
Hourly expenses	Percent	Responses
Less than $40	12.3%	58
$40-$49	7.9%	37
$50-$59	11.5%	54
$60-$69	11.1%	52
$70-$79	9.8%	46
$80-$89	7.2%	34
$90-$99	5.7%	27
$100-$109	7.2%	34
$110 or greater	3.2%	15
NA	24.0%	113
	Total	470

What was your 2010 income (before income taxes) from your law practice?		
Income	Percent	Responses
Under $30,000	5.2%	26
$30,001 to $40,000	5.2%	26
$40,001 to $60,000	13.4%	67
$60,001 to $80,000	10.8%	54
$80,001 to $100,000	10.6%	53
$100,001 to $150,000	19.4%	97
$150,001 to $250,000	18.4%	92
Over $250,000	12.4%	62
NA	4.8%	24
	Total	501

Staffing plays an important role in management of a law practice. The survey explored several issues as it relates to staffing. The first comparison made was the use of contracted staffing services. Very few attorneys responded that they contract out for secretarial, attorney, or other research staff. Attorneys employ staff to fill a variety of roles in their practice. Here is the breakdown of staffing from the attorneys who responded.

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Personnel employed in office:		
Staff positions	Percent	Responses
Secretary	80.5%	396
Legal assistant/paralegal	63.8%	314
Bookkeeper	49.8%	245
Receptionist	53.3%	262
In-house process server	2.0%	10
Law Clerk	24.4%	120
Office manager or administrator	35.4%	174
Secretarial supervisor	5.9%	29
In-house investigator	1.4%	7
Non-Lawyer professional	4.9%	24
Technology	20.1%	99
NA	7.3%	36
	Total	492

For the firms who have associates, here is the breakdown of the responses regarding how they are compensated.

Method of compensation for associates		
Compensation	Percent	Responses
Salary only	15.7%	76
Salary plus possible year-end bonus	30.7%	149
Salary plus % of fee personally generated	10.5%	51
Salary plus % of firm's gross	0.2%	1
Time	1.4%	7
NA	41.4%	201
	Total	485

The starting annual salary offer made to law school graduates was asked of the attorneys who participated in the survey. The questions also asked about compensation for law school student employment, paralegals/legal assistants and secretaries.

Starting salary offered to law school graduates		
Salary	Percent	Responses
Under $35,000	3.5%	17
$35,001 to $40,000	3.9%	19
$40,001 to $45,000	7.2%	35
$45,001 to $50,000	7.0%	34
$50,001 to $55,000	5.6%	27
$55,001 to $60,000	6.0%	29
Over $60,000	14.4%	70
NA	52.4%	254
	Total	485

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Monthly compensation for employment of law school students.		
Compensation	Percent	Responses
Less than $1,200	5.6%	26
$1,201 to $1,500	4.5%	21
$1,501 to $2,000	2.4%	11
$2,001 to $2,500	2.8%	13
$2,501 to $3,000	1.5%	7
$3,001 to $3,500	3.6%	17
More than $3,500	7.1%	33
NA	72.6%	340
	Total	468

Starting salary offered to paralegals/legal assistants		
Salary	Percent	Responses
Under $25,000	9.5%	44
$25,001 to $30,000	10.3%	48
$30,001 to $35,000	9.9%	46
$35,001 to $40,000	4.3%	20
$40,001 to $45,000	2.6%	12
$45,001 to $50,000	0.4%	2
$50,001 to $55,000	0.2%	1
Over $55,000	0.9%	4
NA	61.9%	288
	answered question	465

Salary paid to paralegals/legal assistants with 5 full years of experience		
Salary	Percent	Responses
Under $25,000	2.0%	9
$25,001 to $30,000	5.3%	24
$30,001 to $35,000	10.1%	46
$35,001 to $40,000	12.5%	57
$40,001 to $45,000	6.6%	30
$45,001 to $50,000	4.8%	22
$50,001 to $55,000	2.2%	10
Over $55,000	3.1%	14
NA	53.6%	245
	Total	457

Starting salary offered to secretaries without prior experience		
Salary	Percent	Responses
Under $18,000	8.3%	38
$18,001 to $22,000	11.2%	51
$22,001 to $25,000	11.8%	54
$25,001 to $30,000	9.2%	42
$30,001 to $35,000	5.3%	24
$35,001 to $40,000	1.5%	7
$40,001 to $45,000	0.7%	3
$45,001 to $50,000	0.0%	0
Over $50,000	0.2%	1
NA	51.9%	237
	Total	457

Annual salary paid to secretaries with 5 full years of experience		
Salary	Percent	Responses
Under $18,000	1.8%	8
$18,001 to $22,000	4.8%	22
$22,001 to $25,000	8.3%	38
$25,001 to $30,000	13.8%	63
$30,001 to $35,000	14.9%	68
$35,001 to $40,000	10.7%	49
$40,001 to $45,000	4.2%	19
$45,001 to $50,000	2.4%	11
Over $50,000	2.2%	10
NA	37.0%	169
	Total	457

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In addition, other benefits provided by firms and employers were evaluated. Respondents were asked to list all benefits that apply to them. Below is the list of benefits generated by the survey. It is followed by a list of holidays that the offices observe annually.

Benefits provided by place of employment		
Benefits	**Percent**	**Responses**
Bonuses	58.8%	285
Health Insurance	56.7%	275
Sick Leave	59.0%	286
Paternity Leave	22.7%	110
Dental	28.2%	137
Deferred compensation	16.7%	81
Parking	49.7%	241
Professional Association dues	55.9%	271
Paid vacations	64.3%	312
Life insurance	28.5%	138
Maternity leave	37.1%	180
Retirement benefits	57.9%	281
Civic or club dues	21.6%	105
Disability insurance	24.1%	117
Profit sharing	19.2%	93
Payment of CLE expenses	61.4%	298
NA	14.4%	70
	Total	485

Holidays observed annually		
Holidays	**Percent**	**Responses**
New Year's Eve	47.5%	231
New Year's Day	97.9%	476
Martin Luther King's Birthday	8.0%	39
President's Day	5.3%	26
Memorial Day	89.1%	433
Independence Day	92.6%	450
Labor Day	90.7%	441
Veterans Day	9.7%	47
Thanksgiving Day	99.0%	481
Day after Thanksgiving	81.9%	398
Christmas Eve	63.0%	306
Christmas Day	98.1%	477
Other	3.7%	18
	Total	486

The survey asked attorneys about their annual planned vacation. They responded with the following results.

How many work days will you take in annual planned vacation in 2011?		
Answer Options	**Response Percent**	**Response Count**
Less than 5	11.4%	56
5 to 9	26.9%	132
10 to 15	27.8%	136
16 to 20	15.5%	76
More than 20	15.5%	76
NA	2.9%	14
	answered question	490

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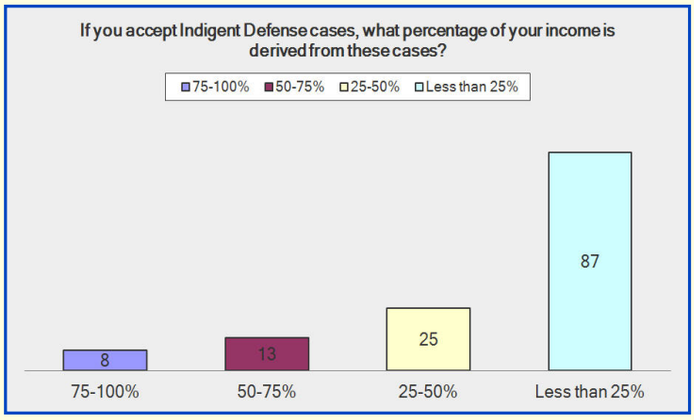
Issues related to the practice of law in Iowa

Pro bono public and community service are an identifying attribute of the legal profession in Iowa. The survey explored the extent to which attorneys are engaged in these activities. Attorneys were asked about how much time they spend every month volunteering for civic or community activities. They were also asked about how much pro bono they do annually. There were 16% of the responders that indicated that they provide 50 or more pro bono hours a year which is the aspirational goal set forth in the Iowa Rules of Professional Conduct.

Hours spent on volunteer civic and community working an average month		
Monthly hours	Percent	Responses
Less than 5	35.7%	283
5 to 9	25.3%	201
10 to 15	21.5%	171
16 to 20	5.7%	45
More than 20	7.2%	57
NA	4.5%	36
	Total	793

Hours spent on pro bono legal work annually		
Annual hours	Percent	Responses
Less than 10	29.3%	232
10 to 20	17.9%	142
21 to 30	12.4%	98
31 to 49	8.2%	65
More than 50	15.5%	123
NA	16.6%	132
	Total	792

The survey revealed that a little more than 23% of the respondents accept indigent defense cases. Of those, 65% derive less than 25% of their income from these cases.



Attorneys were asked if they felt that all attorneys should be required to maintain professional liability insurance. Nearly 78% of those responding agreed that liability insurance was necessary. As a follow up, attorneys we then asked if all attorneys should be required to disclose to their clients when they do not maintain professional liability insurance coverage. Approximately 72% of the attorneys agreed with this statement. Of those who responded, 94.3% of the attorneys had professional liability insurance themselves. Here is some helpful data regarding coverage of the liability insurance for those who participated in this survey.

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Professional Liability Insurance coverage limits:		
Coverage	Percent	Responses
Under $250,000 per claim	2.3%	10
$250,001 to $500,000 per claim	9.1%	40
$500,001 to $1,000,000 per claim	20.3%	89
$1,000,001 to $2,000,000 per claim	32.2%	141
$2,000,001 to $5,000,000 per claim	18.3%	80
Over $5,000,000 per claim	7.1%	31
NA	10.7%	47
	Total	438

Professional Liability Insurance coverage deductible.		
Deductible	Percent	Responses
Under $1,000	3.7%	16
$1,000 to $2,500	22.6%	98
$2,501 to $5,000	23.5%	102
$5,001 to $10,000	18.9%	82
$10,001 to $20,000	7.6%	33
Over $20,000	6.9%	30
NA	16.8%	73
	Total	434

The survey went on to ask about attorney's attitudes toward lawyer advertising. Those responding were equally split in favor (44.2%) and opposed (47.2%) to the use of advertising by members of the profession. The Iowa Supreme Court's Committee to study lawyer advertising rules was convened to study the efficacy of the existing advertising rules and to make recommendations for possible changes. The reaction on the survey was mixed.

Possible adoption of the ABA Model Rules on Lawyer Advertising.		
Reactions	Percent	Responses
I support the adoption of the ABA Model Rules regarding lawyer advertising	19.4%	152
I prefer retaining the current Iowa rules on advertising	17.2%	135
I need more information before expressing a preference	46.5%	365
I have no opinion	16.9%	133
	Total	785

Which type of lawyer advertising do you use?		
Advertising	Percent	Response
Classified ads, newspaper	11.5%	51
Display ads, paper, billboard	4.7%	21
Radio	4.3%	19
Television	5.4%	24
Yellow Pages	59.6%	264
Brochure or Newsletter	20.1%	89
Direct mail solicitation	1.1%	5
Internet Advertising	28.7%	127
Facebook	7.9%	35
Blogs	6.5%	29
NA	24.2%	107
Total		443

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Rules of Professional Conduct and Rules of Civil Procedure adopted a few years ago allow for limited scope representation. When asked in the survey about the frequency of this type of practice, 80% responded that the rarely or never limit representation. This indicates that the ISBA has an opportunity to provide additional CLE opportunities that will help attorneys understand the usefulness of limited scope in their practice.

Views on the Legal Profession in Iowa

The issue of specialization was addressed in the survey. Respondents were asked if individual specialization for all lawyers is highly probable in future years. Nearly 57% agreed with this premise. In addition when asked about small firms moving towards specialization, again 56% agreed with this statement. Nearly 68% of the attorneys believe that there is currently or soon will be attorney saturation in some areas of practice in Iowa.

The attorneys were asked in the survey if they would pursue a career in law again if they had the opportunity to change that decision. About one third of the attorneys who answered this question indicated that they would not go into legal profession again.

Professionalism can be measured in a variety of ways. But one of the disappointing observations made as part of the survey results is that 44% of the attorneys felt that in the past five years, the professionalism among lawyers has decreased. Only 4% felt that it had increased while the remaining thought that professionalism had remained the same. The legal profession is also suffering from a negative image in the eyes of the public according to 82% of the attorneys on the survey. Their view is that in the past five year the image of lawyers has remained the same or decrease. This trend is going in the wrong direction and it needs to be reversed.

The attorneys on the survey indicated that they believe that the unauthorized practice of law by non-lawyers is an increasing problem in Iowa (61%).

And finally, the survey asked attorneys if they thought that the 15 hours of mandatory Continuing Legal Education every year was reasonable. Nearly 78% of the responses agreed that it is about right. They were then asked if Iowa should require Iowa attorneys to have at least one of the mandatory hours pertain to professionalism. 65% of the responses agreed.

Conclusion

The 2011 ISBA Economic Survey gives members of the legal profession an overview of the practice of law in Iowa. It evaluates trends and issues affecting our legal community. These results are intended to assist members to better understand how their practice relates to others in their community and around the state. The results of this survey should be used to draw individual conclusions in comparison to your practice. It is with great pleasure that The Iowa State Bar Association provides this empirical data as a service to its membership.

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