



Staff Memorandum

EXECUTIVE COMMITTEE Agenda Item #17(b)

REQUESTED ACTION: Approval of the report and recommendations of the Committee on Membership with respect to a new membership recruitment and retention initiative.

Attached is a memorandum from Associate Executive Director Richard Martin setting forth a proposal to develop and test a new membership recruitment and retention initiative entitled "Pathway to the Profession." The memorandum provides background information on challenges the Association is facing with respect to recruitment and retention, as well as the Association's efforts with respect to recruitment of law school students. In order to address these challenges, the Committee on Membership is proposing a new initiative, offering law students free membership in exchange for students' contact information. Students would be offered benefits such as online communities; campus programs; bar examination preparatory tools; and CLE. The program would continue through the first two years after admission to the bar, with a benefits package worth up to \$1,700 being offered. After the program is well established, the committee proposes to eliminate the first-year free membership, replacing it with an initial dues payment of \$30.

The proposal will be presented by Mr. Martin; Sherry Levin Wallach, chair of the Committee on Membership; and Thomas J. Maroney, the committee's vice chair.



NEW YORK STATE BAR ASSOCIATION

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MEMORANDUM

January 21, 2014

To: John S. Marwell, Chair
Finance Committee

Re: Request for approval to begin Phase One development and testing of a new membership recruitment and retention initiative titled Pathway to the Profession

Background – Environment

Retention of newly admitted attorneys has been a challenge for the Association for many years. The Association auto-enrolls between 7,000 and 8,000 newly admitted attorneys each year at no charge. An analysis going back to 2006 finds that with the exception of 2011, less than 10% of these newly admitted attorney members joined any sections at all. (Please see Attachment A) When these newly admitted members are presented with their first dues bill, we lose approximately 60% of them. In fact, we carry many thousands of these newly admitted attorneys on our books as members for the year without having received any positive acceptance of membership from them. At the end of four years, we will typically have retained 25% or less of the original group. If we can find a way to engage newly admitted attorneys in the Association, get them actively involved in sections, and then retain them for a longer period of time, we stand to make great strides in our overall membership and revenue numbers.

However, we are facing a growing problem on another front. A Google search on law school admissions quickly confirms the decline in law school admissions. According to the Law Professor Blogs, applications to New York State law schools have dropped 20% in the last year, and are down 31% since 2008. The decline in law school applications adds even more pressure on the Association to improve the recruitment and retention of newly admitted attorneys.

An examination of the Association's share of market for attorneys admitted to and practicing in New York State underscores not only the impact of not retaining a higher percentage of the newly admitted attorneys, but also member recruitment and retention challenges in general. According to Office of Court Administration Data at the end of Calendar Year 2012, there were 166,317 attorneys registered within the state. Excluding the Association's out-of-state and out-of-country members, shows a balance of 55,797 in-state attorneys, or a market share of 33.5%.

For many years, the Association's Membership Department has had an active program focused on law school students and improved cooperation with law school administrations. During the first semester (Sept-Dec) of the 2013-2014 school year, the Department hosted a total of seven law school events with

5 different New York law schools. In September they hosted the “Kick Off” event at Albany Law School, an “Interview and Job Counseling Workshop” at Touro College of Law, a “Welcome BBQ” at Pace Law School, a “Lunch with a Lawyer” program at Syracuse University College of Law, attended a “Meet the Bar Association” event at New York Law School, a “Practice Area Forum” at Cardozo School of Law and a “Town Court Familiarity” program for Albany Law School in conjunction with the New Scotland Town Court. We currently have two confirmed programs for the Spring semester; a “Lunch with a Lawyer” program at both St. John’s Law School and Fordham Law, with several other programs at various schools in the works. The focus for the law school programming this year was to increase our visibility at schools that have been less apt to work with us in past years. By offering a variety of programs and tailoring our presentations to the specific needs of the schools we have been able to increase our law school visibility. Touro, Cardozo, St. John’s, and Fordham were all new additions to our list of schools this year. In addition, we are also attempting to record programs that can later be used in the Law Student Community.

In conjunction with the programs established by the Membership Department, we also overhauled our Law School Campus Representative program this year to make campus representatives responsible for the organization of events on their campus. Through their initiatives NYSBA hosted or co-hosted the following programs during the Fall semester: a Bar Exam Fair, Criminal Law presentation of “Lawyering under the spotlight”, and a Health Law “Affordable Healthcare Act” presentation at Albany Law, a “Student Organization Fair” at Touro, a “Blue Book Review Session”, “Dressing for Success” program, and a “Speed Networking with NYSBA Attorneys” event at Brooklyn Law, and a “1ST Amendment Dinner” at Pace Law School. Allowing campus representatives to find/organize events on their individual campuses ensured the events were tailored to the specific desires and interests of each school’s student body. This tactic proved highly successful and all programs hosted were well attended by students and faculty.

Pathway to the Profession

While our existing programs with law schools are generating positive results, the larger picture view presented above that takes into consideration the declining enrollment in law schools, our poor results engaging and retaining newly admitted attorneys, and our declining share of market underscore in a dramatic manner the need to come up with a new and much more effective approach for newly admitted attorneys.

We are proposing a totally new initiative that we are calling Pathway to the Profession. This new approach will build on the relationships that we have established with law schools and position the Association as the “natural” pathway to the profession for law school students beginning in their first year of law school. The law schools will be offered free membership for their students in exchange for student contact information. (Law school students will be able to opt-out of the program if they choose, or if the school prefers, we can make it an opt-in enrollment on the students’ initial law school enrollment form.) We will continue to strengthen our relationship with law school students with aggressive programming during all three years of law school, thus positioning the Association as the natural pathway to the profession. We will continue the program on through the first two years of practice for our newly admitted attorneys with a package of benefits totaling in excess of \$1,700. Once the program is up and running, and we have the acceptance and participation of at least 10 law schools,

we will propose to do away with the first year free program which has not been effective, and begin charging newly admitted attorneys \$30 for the first year, 50% off the current dues rate.

The Pathway to the Profession concept has been discussed with the Membership Committee. Sherry Levin Wallach, Chair of the Membership Committee, appointed a special subcommittee chaired by Tom Maroney to assist with ongoing development of the concept. On December 6th, the Membership Committee voted unanimously to support the Phase One development and proof of concept testing that we have proposed today.

Timeline for implementation of the Pathway to the Profession concept

1. Phase I - Pre-test Implementation – Now through May 2014

- a. Proposal to the Executive and Finance Committees
- b. Flesh our proposal for law schools
- c. Establish cooperative/collaborative relationships with law schools; presentation to five NY law schools to start.
(Albany, Syracuse, Brooklyn, Touro, New York Law) for 2015 dues season
Must receive student data from schools in order to participate
- d. Discussions with YLS on what they can bring to the table –
Annual Meeting program BTG certificate, other benefits
- e. Discussions with YLS on free memberships and Association assessment for free joins
- f. Cost item: Meeting(s) with law school administrations to present and refine concept.
\$2,500

2. Phase II - Law Students – May through September 2014

- a. Work with schools to refine and adjust program; position NYSBA membership as essential for students
- b. Report and update for the Membership Committee
- c. Flesh out complimentary memberships for 1L, 2L, 3Ls beginning with the 2015 dues season with test schools – Albany, Syracuse, Brooklyn, Touro, and New York Law – confirm commitment
- d. Provide opt-out for students who do not want to participate
- e. Build online communities that provide value and resources for students
 - i. Law student community with resource center –
connecting students to the profession. Students have requested one-stop-shop area.
 - ii. Law school alumni communities
 - iii. Law student newsletter / blog on community
 - iv. Video presentations on community
(i.e. Demystify the Bar Exam and Job Counseling;
How to be successful in your 1st year of law school)

- v. Invite sections to participate in online discussion Q&A with community
- vi. Encourage sections to offer membership discounts
- vii. Offer campus programs that include –
 - 1. Meet the Sections events
 - 2. Lunch / Dinner with a Lawyer programs – each table representing an area of practice; lawyers field questions on all topics
 - 3. Co-sponsored events with student bar associations
- viii. Preparation tools for bar exams on communities
- ix. Boot camp training / CLE for 3Ls – potential webcast
- x. Discuss with the Young Lawyers Section free membership under this program (not part of assessed payment to the Section by the Association)
- f. Develop marketing and promotional plan
- g. Finalize plan and establish budget for 2015
- h. Report and update to Membership Committee
- i. Cost items budgeted for 2014:
 - i. Law student community online and eNewsletter editors: \$3,000
 - ii. Video presentation/programs (3) for online posting: \$2,250
 - iii. Campus programs: \$6,000
- j. Cost items not budgeted for 2014:
 - i. Preparation tools – intern research expense: \$1,500
 - ii. Additional staff assistance for law student programming. Costs to be determined.
 - iii. Boot Camp training for 3Ls: \$7,000 (\$60 pp; 110 capacity at concierge center; plus webcast and future posting). Pricing structure to be determined.

3. Phase III – Law Students – August 2014 through April 2015

- a. Monitor results and feedback from test schools; work with schools to further adjust and refine
- b. Present program to remaining New York law schools for 2016 dues season
- c. Develop marketing and promotional plan
- d. Report and update to Membership Committee
- e. Evaluation of program implementation requirements, and staff and financial resources
- f. Cost item not budgeted: Meeting(s) with law school administrations to present and refine concept. \$2,500

4. Phase IVa - Graduated / Newly-admitted – August 2014 through 2015

- a. Finalize plan and establish budget for 2016 dues season
- b. Offer \$1,700 value package for newly-admitted attorneys
 - i. Fastcase – free first two years
 - ii. Clio – free first year

- iii. CLE BTG savings - \$400 savings per 16 credit program; we will approach YLS to incorporate the certificate program into their programming
- iv. Life insurance offer - \$100,000 complimentary term life insurance policy
- c. Establish coaching programs within the YLS and Mentoring Communities
- d. Develop marketing and promotional plan
- e. Report and update to Membership Committee
- f. Fall 2015, if Pathway program is in full operation, with 10 law schools participating, begin charging \$30, 50% off dues, for 2016 dues season

5. Phase IVb - Law Firms – August 2014 through 2015

- a. Development of CLE certificate program begins
- b. Ongoing problem with attrition of newly-admitted attorneys in first year of employment; drain on resources - conduct research / focus groups / survey firms – understand issues with first year associates in law firms
- c. Use research to establish expanded Bridge-the-Gap Certificate Program
- d. Approach law firms to request preference for new attorneys who have gone through our BTG certificate program
- e. Report and update to Membership Committee
- f. Begin BTG Certificate Program in 2016
- g. Costs not budgeted:
 - i. Bridge the Gap Certificate Program CLE: \$7,000 (\$60 pp; 110 capacity at Concierge Center; plus webcast and future online posting) Pricing structure to be determined.
 - ii. Focus groups and survey of law firms: \$62,000 – \$68,000
 - iii. Meeting(s) with law firms to present preference for BTG certificate program: \$2,500

Preliminary Financial Analysis

Law Student Member Income

FT/PT total law school enrollment (8/19/13):	16,240
NYSBA law school members (typically 16% of the total);	2,584
Current income from law school students based on \$10 each for dues and \$22.50 each from USI stipend; 2,584 X \$32.50 =	\$83,980
Projected income from law school students under the Pathway to the Profession program, assuming 50% law school membership; 8,120 X \$22.50 =	\$182,700
Conceptual financial impact of the Pathway Program on law school revenues	+\$ 98,720

Newly Admitted NYSBA Member Income

Current income from auto-enrolled, newly admitted attorneys based on USI stipend, using 7,138 newly admitted attorneys (2013 data); 7,138 X \$22.50 =	\$160,605
Projected income from newly admitted attorneys based on the Pathway Program, assuming 35% join rate, \$22.50 USI stipend and \$30.00 dues payment (50% off); 2,498 X \$52.50 =	\$131,145
Conceptual impact of the Pathway Program (561 additional memberships, for a total of 3,059 are needed to equal the current income from newly admitted)	-\$ 29,460
Projected net impact at the 35% join rate	+\$ 62,960

**Newly Admitted Attorneys (2006-2011)
(Attachment A)**

2006 NYS Admittees	Admitted in 2006		Paid dues when 1st billed		NYSBA member 4 yrs later-2010	
NYSBA members-no sections	6,472	91%	2,636	41%	1,515	23%
YLS section members (w or w/o other sections)	443	6%	255	58%	157	35%
Other sections (w/o YLS)	176	2%	121	69%	84	48%
TOTAL count of NYS Admittees	7,091		3,012	42%	1,756	25%

2007 NYS Admittees	Admitted in 2007		Paid dues when 1st billed		NYSBA member 4 yrs later-2011	
NYSBA members-no sections	6,832	92%	2,695	39%	1,618	24%
YLS section members (w or w/o other sections)	377	5%	231	61%	137	36%
Other sections (w/o YLS)	203	3%	150	74%	91	45%
TOTAL count of NYS Admittees	7,412		3,076	42%	1,846	25%

2008 NYS Admittees	Admitted in 2008		Paid dues when 1st billed		NYSBA member 4 yrs later-2012	
NYSBA members-no sections	7,623	94%	3,047	40%	1,645	22%
YLS section members (w or w/o other sections)	301	4%	198	66%	115	38%
Other sections (w/o YLS)	186	2%	147	79%	99	53%
TOTAL count of NYS Admittees	8,110		3,392	42%	1,859	23%

2009 NYS Admittees	Admitted in 2009		Paid dues when 1st billed		NYSBA member 4 yrs later-2013	
NYSBA members-no sections	8,123	96%	3,252	40%	1,721	21%
YLS section members (w or w/o other sections)	221	3%	133	60%	83	38%
Other sections (w/o YLS)	149	2%	103	69%	64	43%
TOTAL count of NYS Admittees	8,493		3,488	41%	1,868	22%

2010 NYS Admittees	Admitted in 2010		Paid dues when 1st billed	
NYSBA members-no sections	7,972	94%	3,018	38%
YLS section members (w or w/o other sections)	393	5%	252	64%
Other sections (w/o YLS)	135	2%	88	65%
TOTAL count of NYS Admittees	8,500		3,358	40%

2011 NYS Admittees	Admitted in 2011		Paid dues when 1st billed	
NYSBA members-no sections	6,915	86%	2,238	32%
YLS section members (w or w/o other sections)	868	11%	464	53%
Other sections (w/o YLS)	304	4%	192	63%
TOTAL count of NYS Admittees	8,087		2,894	36%