

2007

## Reflections of a Community Lawyer

Luz E. Herrera  
herrera@law.tamu.edu

Follow this and additional works at: <https://digitalcommons.wcl.american.edu/tma>



Part of the [Law and Society Commons](#), and the [Legal Education Commons](#)

### Recommended Citation

Herrera, Luz E. "Reflections of a Community Lawyer." *The Modern American*, Summer-Fall, 2007, 39-45.

This Article is brought to you for free and open access by the Washington College of Law Journals & Law Reviews at Digital Commons @ American University Washington College of Law. It has been accepted for inclusion in *The Modern American* by an authorized editor of Digital Commons @ American University Washington College of Law. For more information, please contact [kclay@wcl.american.edu](mailto:kclay@wcl.american.edu).

---

# Reflections of a Community Lawyer

**Keywords**

Community lawyer, legal institutions, Mexican American Legal Defense and Educational Fund

# REFLECTIONS OF A COMMUNITY LAWYER

By Luz E. Herrera\*

In May 2002, I opened a law office in one of the most underserved communities in Los Angeles County. Many questioned the sanity of such a career path when evaluating my financial stability and the personal toll that such a career path can exact. Given that I graduated from some of the best universities in the country, my friends, family, and strangers were even more perplexed at my choice. I cannot say that my decision to build a law practice in Compton, California, has been easy. However, time and time again, I found myself rejecting more secure and prestigious job offers and continued in what some of my law school friends call “the more difficult route.”

This article recounts my brief, unrefined, and continuing journey as a novice attorney. My story is not unique or new; however, the triumphs, challenges and defeats of community-based private practitioners serving individuals’ everyday legal needs are largely undocumented. By providing a personal account of my experiences as a solo practitioner, I hope to encourage others working with low-income and modest-means clients to share their experiences and demand more support from our law schools, our bar associations, and legal aid organizations to allow us to better serve our clients and sustain ourselves in the profession.

## MY PERCEPTION OF LAW AND LEGAL INSTITUTIONS

Growing up in the eastside communities of Los Angeles, I remember seeing signs for lawyers and bail bondsmen in my neighborhood. My only connection to these services was overhearing conversations between my parents. Once, I heard them lamenting that their small savings would again be depleted in order to post a bond for a family member who struggled with a drug and alcohol addiction. Another time, I heard my mother warning my father to not get involved and reminding him that testifying on behalf of one of his co-workers in an employment discrimination lawsuit could cause him to lose his own job. From the tone of these conversations, even as a child, I understood the seriousness of these matters. As immigrants, my parents attempted to distance themselves from any legal problems. They would rather turn the other way or put up with mistreatment than to get involved in a legal dispute.

Until my senior year in high school, my knowledge of attorneys, judges or courtrooms was limited to television depictions and classroom role-play simulations. Those educational experiences, and my ability to function in United States’ society with greater ease than my immigrant parents, predisposed me to be less weary than they were about the legal system. During my senior year in high school, at the Chicano/Latino Youth Leadership Conference in Sacramento, I encountered an attorney for the first time. Attorneys from the Mexican American Legal Defense and Educational Fund

(MALDEF) organized a voting rights and redistricting exercise for the conference. They explained political representation, leadership, education, distribution of resources and the ability to vote. They described a legal system that created equal access to opportunity – a message that inspired me.

In college my interest was further piqued when I learned how lawyers used litigation strategies to cement civil rights victories in the 1960s and 1970s. Learning about this history helped me envision a role for myself in the legal profession. I wanted to be a lawyer who used her legal training to open doors for others. I believed that going to law school would prepare me to be an advocate for people who, like my family, my neighbors, and my friends, did not understand how to navigate government institutions. At the time I applied for law school, the only lawyer I knew well was in his first year of practice. He worked as a Los Angeles County district attorney, and he invited me to observe him in court. As he gave me a tour of the courthouse, he talked about his job with great enthusiasm. I remember walking into a holding cell adjacent to the courtroom where two working-class Latino immigrant men were on their knees praying for a merciful decision before being escorted to the courtroom. The fear and apprehension I saw in their eyes was similar to what I sensed as a child listening to the adult conversations about lawyers and courts. My friend explained that these men had been arrested for selling food without the proper permits and licenses. His job was to prosecute those who broke the law.

Because I thought I knew this district attorney’s politics, I was puzzled at why he enjoyed a job where it was his responsibility to prosecute men who I believed were honorable and hard-working. He explained that his job was to uphold the law even if its application did not always seem fair. As a district attorney, he had the power to make things very difficult for these men or give them an opportunity to rectify their mistake by paying a fine and educate them about their responsibilities when selling food to the public. I understood his explanation, but I did not understand why these men were placed in a holding cell and treated like dangerous criminals. I left the courthouse that day very disillusioned. It was my first introduction to justice in a courtroom and the first time that I questioned whether I could be an attorney.

## MY LAW SCHOOL EXPERIENCE

First-year law school courses are supposed to teach students to think like lawyers. However, I often felt disengaged from the theoretical discussions of rules that seemed to take me away from the context of my experiences, my world, my self and into a world of rational behaviors presented as apolitical, asexual and void of identity. The first-year courses were teaching me to think like a lawyer, and while I acknowledged that I was

changing, I was not all that pleased by what I was becoming. My discomfort in the law school classroom was due to my identity as a first-generation, working-class Chicana. The idea that laws were neutral and that their application was fair did not ring true in my world of working-class individuals. Despite being a student leader in college, I found myself staying silent in much the same way my parents had when they were forced to deal with legal matters. When I was forced to speak in class, I spoke with a fear similar to what I saw in those street vendors' eyes — engaging in an unfamiliar process in a foreign system.

During law school, I sought training that would help me to be a voting rights expert just like those first attorneys who motivated me. Unfortunately, the only voting rights classes available were not in the university's law school, but in the school of government.<sup>1</sup> Very few of the discussions in my civil rights classes touched upon groups other than African Americans. It seemed every professor and career counselor I talked with about my interest in working on behalf of the Latino community was supportive, but did not know how to direct me to resources that would help me develop my career path. Some directed me to jobs at legal aid organizations or suggested I apply for government jobs — neither matched my ideas of community building. While their intentions were good, I never felt fully understood or heard by my advisors. It seemed that the only work that was valued as public interest was the work done by established non-profit organizations or government bodies. I knew that impact litigation work that organizations like MALDEF engaged in was the type of work acknowledged as “public interest.” So, I secured funding from a private donor that allowed me to work for a summer in MALDEF's San Francisco office.

### MY INTRODUCTION TO LAW PRACTICE

Working at MALDEF, I found some wonderful attorney-mentors who understood and supported my passion for community. While I enjoyed working on cases involving issues of voting rights, education, and immigration law, I realized that this type of work was not for me. As an intern, I spent most of my time doing legal research, and I did not have opportunities to meet clients. By the end of my internship, it was evident that impact litigation was not my calling. I wanted more client interaction. I also questioned whether the current impact litigation strategies were the best route to community empowerment with courts becoming increasingly conservative and restrictions on attorney fees provisions making it more and more difficult to finance the litigation. While I continued to respect and support the work of organizations like MALDEF, I did not see a role for myself at such institutions.

Because I ruled out impact litigation following that summer internship, I decided to interview for jobs with big law firms where I believed I would be trained while making a salary that exceeded my expectations. At the same time that I interviewed for law firm jobs, I participated in the clinical program at the

Legal Services Center of Harvard Law School.<sup>2</sup> There, I had the opportunity to engage in direct client service with low — and moderate — income individuals who were forming businesses, organizing nonprofit organizations, and negotiating real estate transactions. Most of the clients I worked with attempted to use the legal system to forge their dreams of stability and self-employment. Working with these clients reaffirmed in me the importance of developing a sound economic strategy and a political agenda for underserved or underrepresented communities. This clinical work in community economic development and its accompanying coursework helped me understand that I wanted to facilitate community building. Unfortunately, employment opportunities in community development for graduating law students were few and far between. In addition, large student loan payments and my father's recent lay-off provided more justification for accepting employment at a corporate law firm. I convinced myself that I could contribute financially to support the causes I believed in, hoping that making financial contributions and taking on pro bono matters would be enough to satisfy my desire to make a difference. I accepted a job offer in the real estate department of a corporate law firm that promised to teach me skills that I could later translate to community economic development work.

### ENTERING AND EXITING CORPORATE AMERICA

At least 90% of my classmates went to work at large firms upon graduating law school or directly out of post-graduate judicial clerkships. At Harvard Law School, law firms courted us with expensive dinners, hospitality suites, activity-filled summer internships, promises of training and, of course, big salaries. Even though I did not go to law school to get a job at a large law firm, I was convinced that it would be foolish to decline a large law firm's offer when I did not see a clear path for my passions. I chose to work with a firm that took pride in their commitment to diversity and pro bono work. I believed that I had a better chance of succeeding in corporate America if I worked at an institution that shared some of my values. While I found the work interesting, I did not receive great training nor did I find mentors there. The intellectual stimulation of the work was not enough to outweigh the absence of collegiality and personally fulfilling work. The feeling that I did not belong with this firm was mutual, and I was encouraged to look for employment elsewhere. Within two years of graduating law school, I found myself without a job.

### FINDING MENTORS

Instead of looking for a new job, I set out to look for a mentor. I interviewed for a few small law firms, a couple of public sector jobs, and an in-house position. None of these employment opportunities felt right for me. While I struggled to carve a career path that fit my values, I began to do some contract work for friends and non-profit organizations. It was on one of my contract assignments that I unexpectedly found the

mentor I sought. Salvador Alva was part of a delegation that I helped administer on a trip to Cuba. When he learned that I was an attorney he offered me a job in his law office. He had been in solo practice for over twenty years and had started his career as an attorney for California Rural Legal Assistance. He handled mainly criminal, family, and personal injury cases, but at the time I met him his primary client was a neighboring municipality. About five weeks after our initial meeting, I began working with him on a range of legal matters. Before I knew it, I was interviewing clients, attending depositions, writing legal memoranda, and drafting city ordinances. He invited questions and, whenever possible, he took time to have lunch with me to address my concerns or confusion. Salvador interacted with his clients respectfully and professionally, expressing genuine concern for their problems.

Approximately two months after I began working with my mentor, I came upon a letter from John Ortega, an attorney in the city of Compton who was retiring and looking for someone to lease his small office space. The letter expressed a concern that there were no Spanish-speaking attorneys in an area that greatly needed bilingual services. At that time the only thing that I knew about Compton was that it had been devastated by years of drug dealing and gang warfare in the 1980s and 1990s. I did not know that more than half of its population was Latino. When I brought the letter to Salvador's attention, he explained that he had worked for this attorney in Compton at the start of his career and asked me to set up a time for us to visit.

Driving to Compton with Salvador to meet Mr. Ortega rattled my sensitivities. We passed a couple of communities before reaching Compton Boulevard, but none of them came close to being as underdeveloped and economically depressed as Compton seemed. Deteriorated, boarded-up properties on the main boulevard and in residential areas were commonplace. Most of the occupied properties had metal bars on the windows and doors. I was in disbelief that such a community existed in Los Angeles County. We had a difficult time finding Mr. Ortega's law office because it did not have signage. We finally arrived at a storefront, situated across the street from a drycleaner and adjacent to one of many dollar discount stores in the city. With the exception of a few fast food restaurants, some small family-owned business and a couple of donut shops, there was little indication that this was a city where an attorney could make a living.

The 400-square-foot wood-paneled office was crammed with outdated law books; the windows and door had bars for additional security. Mr. Ortega, a general practitioner who took

just about every type of case, welcomed us and began to talk about Compton's need for a Spanish-speaking attorney. Mr. Ortega was unaware that we were just visiting to say hello. He explained, "[s]ometimes, these people, all they need is a phone call. When you make it for them, they are very appreciative.

You can make a living here." He was asking for rental payments of \$400 per month. As Mr. Ortega spoke, a woman he introduced as Maria came to the door and asked whether we wanted to buy homemade tamales that day. For each of us – three generations of Latino attorneys – the decision to buy food from a street vendor was quite simple. We did not wonder whether our health would be adversely affected by eating them or whether Maria was vio-

lating a local ordinance by going door-to-door to sell home-prepared food in order to make a living. We simply bought them even if we were not hungry. We did not discuss Maria or the purchase of the tamales, but I left knowing that Mr. Ortega and Salvador understood entrepreneurship and community needs the same way that I did.

Subsequently, I had several conversations with Salvador about Ortega's office space. He explained that there was a great need for service in this area but to make a living there would require a lot of hard work and time that he did not have. After giving it some thought, I asked if he would be offended if I tried to do it on my own. He responded with a surprised smile and said, "Luz, if that is what you want to do, you have my support. I know you can do it." My gut told me he was right.

### TAKING MATTERS INTO MY OWN HANDS

Soon after our initial visit, I returned to Compton to explore the possibility of taking over John Ortega's office space. Ortega was stunned when I told him, "If you rent me the space for \$350 a month, I will set up my law office in Compton." He was excited that a Harvard-trained attorney would agree to practice law there and even more impressed that a female would be willing to take on such a project, given the city's reputation. He immediately agreed to lower rent and said I could keep his old books, some of his office supplies and I could even borrow his desk until I bought my own. Most importantly, he allowed me to keep the same phone number that had been associated with his law office for about thirty years. In anticipation of opening my office, I continued to work with Salvador Alva and used my earnings to buy some office equipment.

Many people have asked why I turned down more lucrative or traditional job offers to set up a solo law practice in Compton. For me it is simple. I went to law school because I wanted to

---

*For each of us – three generations of Latino attorneys – the decision to buy food from a street vendor was quite simple. We did not wonder whether our health would be adversely affected by eating them or whether Maria was violating a local ordinance by going door-to-door to sell home-prepared food in order to make a living. We simply bought them even if we were not hungry.*

---

represent individuals like Maria and the street vendors that district attorneys prosecute. They are the working poor. They are entrepreneurial immigrants. They are those individuals who struggle to make full rental and mortgage payments on time. Establishing my own practice allowed me the opportunity to fuel the fire that burned in my belly. I followed my instincts and went forward with what felt right. When I decided to venture out on my own, I did not have a business plan. I had never litigated in a courtroom. However, I knew how to read, write and advocate in ways that my neighbors, my friends, and my relatives did not. I wanted to use my education to directly contribute to the community that applauded each of my educational accomplishments as if they had been their own.

My decision to open an office in Compton was absolutely selfish in that it provided a vehicle for my idealism. I also saw this risk as an investment in myself. I recaptured the courage I had once traded for diplomas from elite institutions and rejected the notion that only the financially privileged can work on behalf of the poor. The fact that I was only three years out of law school and did not have much experience concerned me, but it did not paralyze me. When I considered that I learned much more in the six months I worked with Salvador Alva than I had after almost two years at a corporate law firm, my insecurities diminished. I learned that we become good at doing what we do through practice, study and reflection. I did not know how it was all going to work, but I knew that there were thousands of individuals in my immediate surroundings who did not possess the privilege of a law degree and bar admission. I knew that given the needs of Compton and the larger community, I would not starve. My potential clients inspired me to take a chance on myself.

John Ortega sent letters to a number of people announcing his retirement and my arrival to Compton. He organized a retirement picnic with former clients, his family and friends where he introduced me to the community. With the exception of one or two colleagues, the invitees were working-class men and women from Compton and the surrounding communities who attended to show their appreciation for Mr. Ortega's many years of service to the community.

### PRACTICING LAW IN COMPTON

Media images usually depict only part of a community's reality; such is the case with Compton, California. Rap culture, the news media and a tumultuous history with drugs and violence continue to plague this particular city in Los Angeles County. The 2000 Census offers this reality of Compton: 56.8% of its population was Hispanic/Latino and 40.3% was Black/African American. The same census revealed that 31.4% of Compton's residents were foreign-born, 55.2% spoke a language other than English in their homes and 38.5% were under the age of 18. Less than six percent of Compton's population had a

bachelor's degree or higher, and 28% lived below the federal poverty line. The reality for me as one of the few professionals in the city, and as the only Spanish speaking attorney in private practice, is that I feel pulled in many directions because my advocacy skills, my contacts and my legal training are needed there. My role has positioned me to serve as a resource for local businesses, nonprofit organizations, churches, and residents.

As an attorney in solo practice my work is defined by my clients' legal needs; it varies from securing their parental rights, protecting their economic rights and helping them understand their responsibilities. At other times my role involves community legal education, strategic planning or participating in discussions with community members to develop a collective vision for the neighborhood where we live and work. I advocate for the rights of individuals, small businesses, and non-profits in Compton and in other communities of Los Angeles County, as well. I do not classify my practice or my work as "cause lawyering" or under any of the classifications created by academics. For me, and other attorneys working in underserved communities, our roles are so fluid and our clients' needs are so

---

*I wanted to use my education to directly contribute to the community that applauded each of my educational accomplishments as if they had been their own.*

---

diverse that we practice in different ways depending on the client, the community and the problem. Our work and our clients' lives are complex and messy. Effective community-based lawyers and advocates understand that legal problems are multi-faceted and often require interventions from the larger community, non-legal institutions,

and non-lawyers. Most of my clients' legal needs are rooted in more systemic problems. However, when a client is about to lose their home or their parental rights, the long-term designs of a social movement seem irrelevant.

### MY CLIENTS

While some of my clients are poor and working-class retail clerks, waitresses, and janitors, some of them are also college graduates, homeowners, and teachers whose legal problems cannot be addressed by self-help remedies or legal hotlines. My clients are generally not destitute, but they live paycheck-to-paycheck. They represent the working poor and the middle class. An illness or loss of employment for a few months would cause financial havoc to most of my clients.<sup>3</sup> The majority of them reside in the southeastern communities of Los Angeles County, but I have a handful of clients who live in neighboring counties and a couple who live several hundred miles away. The fact that someone 400 miles away would hire me is a reflection of the lack of affordable legal services that exists throughout the state of California.<sup>4</sup>

My first two clients were prime examples of individuals who do not have the means or connections to obtain subsidized or market-rate legal services and could not navigate the legal system without the assistance of an attorney. The first client was living in her mother's house and was mildly developmentally

challenged. While her mother was in hospice care, she faced eviction by her brother. My client had only a part-time job and no other family members to provide housing. The second client was an immigrant and father of five who lived in a two-bedroom apartment with his children, his wife, and his brother-in-law. He was the victim of a fraudulent real estate transaction that left him with the responsibility of a mortgage but without the benefit of occupancy in the home. He had limited English competency and was not knowledgeable about the legal process in the United States. Both of these cases required that I appear before several courts and learn several substantive areas of law. These cases required me to go to probate court, a family law court, bankruptcy court and to engage in general civil litigation. The complexity of these first two cases was an indication of the difficulty and complexity of problems that awaited me. Many of the clients that came to my door were clients whom others had turned away because they did not qualify for publicly funded services, because they lacked the funds or because the language barriers were too difficult to overcome.

#### CHALLENGES OF SOLO PRACTICE

Although there is information available on the challenges faced by solo practitioners,<sup>5</sup> I was not prepared for the journey that I embarked on, as I had relatively little experience and no business plan. My decision to open my law office was not motivated by financial considerations, but by a personal thirst to create a practice that fit my belief system. Based on my clinical work in law school and my prior work experience, I knew enough to set up a client trust account and draft a basic retainer agreement. I also was prudent enough to search for affordable legal malpractice insurance. I read publications published by the American Bar Association and the California State Bar for individuals starting law firms.<sup>6</sup> The advice contained in those books was relevant and helpful, but the sources were also not written with my clients' needs in mind and tended to assume that attorneys who start their practice have more financial resources and experience than I had. I was plunging into a world of unknowns; it was daunting. Shortly, financial concerns became paramount. I needed to buy books and enroll in continuing legal education courses to prepare myself. These needs along with the technology necessary to run a law office brought start-up costs and anxiety to levels I had not expected.

In the first two years on my own, I invested my profits in training myself and getting involved with several organizations to market my services. Most of my clients were referrals from other attorneys, community leaders, school friends, and former clients. Getting clients through the door did not prove too difficult for me. In the geographic areas where I practice, the number of clients with legal problems is larger than the attorneys who can address them. My language skills and flexible payment plans filled a need in the community. I adopted practices utilized

by corporate law firms and honed my organizational abilities to develop systems that allowed me to manage my clients. Developing intake questionnaires and retainer agreements took much work, even though there were samples available through bar associations, my malpractice insurance carrier and my mentor. But learning how to charge clients and developing a billing system proved most challenging.

---

*Like other community lawyers, I continued to represent clients who I knew could not afford to pay me.*

---

Like other community lawyers, I continued to represent clients who I knew could not afford to pay me. Without a business plan, sufficient support staff or a mastery of the business side of law, I embarked on my own pro bono work – mostly work for which I never billed or was never paid for. The problems with billing plagued the viability of my practice for some time. While I found attorneys able to offer advice about marketing, client management, and their expertise on substantive and procedural law, it was much more difficult to get advice on the viability of a practice. It was also difficult to find bookkeepers trained to manage billing for small law practices. It took a couple of years to develop a system for billing and find individuals I could employ to meet my business needs. With a billing system in place, I found that most clients, particularly the ones with the most modest means, pay when billed.

Over four years, operating a law practice in an underserved community has had many financial and emotional drawbacks. To make ends meet, I lived with my parents, limited my social engagements, and forwent luxuries. In the first two years, whatever money I earned went back into my business or my frugal living expenses. It became difficult to keep up with my friends and colleagues as the discrepancy in our financial means kept widening. Even though I believed in what I was doing, it was an emotional struggle that I finally won when I stopped comparing my financial status to that of my classmates and understood that the value of my work could not be measured by the digits behind the dollar sign.

The emotional costs of solo practice can be high. There are numerous demands on one's time, money, and skills. Clients expect and warrant excellence. Family and friends expect and warrant time. Professional circles require development. Community partners require investment. A solo practitioner cannot hide behind a large corporation, a junior associate or business partners to carry the load when she is not feeling up to par. When you are your own boss running your own business, there is constant scrutiny about your performance, your appearance, your commitments and your future. The loneliness and isolation that accompany those demands are inherent in the job.

#### FACILITATING OPPORTUNITIES FOR OTHERS

Since venturing out on my own, I have received calls from peers, paralegals, law students, and prospective law students who are interested in my career path and want to discuss career

options. After many meetings and conversations, it has become evident to me that many lawyers are looking for alternative options in practicing law. Even attorneys who are happy with their salaries often feel unfulfilled or trapped in their current job environments. There are fellowships that allow attorneys to set up their own legal projects. These programs are usually granted only to recent law school graduates and are usually adhesive to existing public interest organizations. Often they limit lawyers who have an entrepreneurial spirit by placing restrictions on salaries and viewing public service through a strictly nonprofit model. At the same time, lawyers who turn to government as a way to serve the public and secure a comfortable salary with benefits often find themselves with systemic restrictions that inhibit their creativity and ability to affect community change.

It is not easy to find individuals who are willing to make a full-time commitment to providing legal services to low and moderate-income individuals. Although many have cheered my efforts, there are only a handful of people who are willing to take a chance on themselves and on such communities. For those attorneys who are looking for work that combines direct service and social impact but are unsatisfied with a low-salary job at a legal aid organization, the alternatives are not apparent.

Before meeting Salvador Alva and John Ortega, I had not planned on opening up my own practice. The career counseling that my Ivy League institution offered did not include becoming a solo practitioner in a low-income community as a viable option for its graduates. Salvador Alva exposed me to constant client contact. John Ortega's referrals forced me to step into the courtroom. Other attorneys I have met during this journey have guided me through such challenges as bankruptcy adversary proceedings and preparing my first trial. I was fortunate that I found these individuals and that I was not shy about asking for help. However, going out on your own can be overwhelming.

#### STRENGTHENING THE NETWORK

In April 2006, I took advantage of an invitation to return to the Legal Services Center at Harvard Law School as a clinical instructor. This opportunity was possible because I found another Spanish-speaking attorney who understood my client base and was willing to sublease my office space to start her own practice. During my time away, I had the opportunity to reflect on my work and to learn about the work of other solo practitioners in community-based practices throughout the country. By talking with other solo practitioners, reading interviews with them, and surveying the small body of literature about them, I came to understand that there is a deep need for a greater system of support for solo practitioners. Most solo practitioners whose law practices serve the daily legal needs of

their communities find their work fulfilling. However, it comes with a price as they are frequently overworked, underpaid, and unrecognized.

There is a need for greater support systems for attorneys in private practice who serve the needs of working-class clients. Monthly publications, occasional seminars, and discounts on legal software are some of the benefits that bar associations offer their members, but they do not address the everyday needs of lawyers running their businesses in working-class neighborhoods. Discounted legal software still requires a significant investment of time, money, and personnel. The occasional bar seminar is often accompanied by a significant fee and held during inconvenient time frames. The legal profession owes a greater commitment to attorneys who practice on their own and work to address the needs of individuals, families, and small businesses in communities across the United States.

Access to affordable health care for these attorneys and their employees, student loan assistance programs, technology assistance programs, tax deductions for attorneys who work in underserved areas, training arrangements with large law firms, coordinated bookkeeping services, greater integration of telephonic appearances, paying client referrals from legal services organizations – these are just some initiatives that could improve the lives and livelihood of

---

*To improve access to and delivery of legal services in our country it will be necessary for the bar, courts and law schools to address and remedy the discrepancy of resources and support systems available to attorneys in private practice who represent the legal needs of the average American.*

---

solo practitioners. To improve access to and delivery of legal services in our country it will be necessary for the bar, courts and law schools to address and remedy the discrepancy of resources and support systems available to attorneys in private practice who represent the legal needs of the average American.

#### CONCLUSION

I returned to Compton in June 2007 with some apprehension but even more conviction. I had the unique opportunity to continue to re-envision my law practice or to change direction. I felt torn between (a) engaging full time in re-building my practice and (b) focusing on finding resources to develop a model infrastructure for a community law practice incubator. My own experience with legal education and the conversations I continue to have with pre-law and law students, and new attorneys, reveal that the legal profession is lacking structured experiences and opportunities that encourage idealism.

My law practice is now a small operation that is nestled between teaching law students and helping build Community Lawyers, Inc.<sup>7</sup> My desire to increase access to affordable and quality legal services is coupled with my commitment to help prepare a new generation of attorneys to make a difference in their communities. I envision developing post-graduate or law school clinical programs that prepare new attorneys to make a good living without gouging consumers of legal services.

Providing more hands-on training to those entering the legal profession, strengthening the network of existing community-based lawyers in private practice, and connecting them with the other sectors of the profession will greatly benefit clients by increasing the quality and availability of affordable legal services and by developing a pipeline of attorneys who understand and

serve the needs of underserved neighborhoods. My space in Compton will continue to be an incubator for entrepreneurial and community-minded lawyers who strive to use their degrees to make a difference for the families and individuals that inspired them to become attorneys.

## ENDNOTES

\* Luz E. Herrera is currently a visiting professor at Chapman University School of Law. She continues to practice part-time in Compton and is a board member and founder of Community Lawyers, Inc.

<sup>1</sup> Because law school policy prohibited me taking courses at the Kennedy School of Government as an elective during my first year of law school, I was only able to audit a seminar taught by Keith Reeves and Leon Higginbotham. Lani Guinier, a voting rights legal scholar, did not arrive at Harvard Law School until the 1998-99 academic year. She was the first and only woman of color to be a tenured professor at Harvard Law School until Jeannie Suk was hired in 2006-07. Only one of the three civil rights courses I took during law school was taught by a tenured law professor.

<sup>2</sup> When I met other progressive students and alumni who shared some of my ideas about lawyer advocacy in low-income communities, they pointed to Gary Bellow and the Hale and Dorr Legal Services Center so I enrolled in a year-long course with Professor Bellow and did clinical work for two semesters of my second year.

<sup>3</sup> For further discussion on the vulnerability of working class or middle class America, see Elizabeth Warren, *Financial Collapse and Class Status: Who Goes Bankrupt?*, 41 OSGOODE HALL L.J. 115, 123 (2003); see ELIZABETH WARREN & AMELIA WARREN TYAGI, *THE TWO-INCOME TRAP* (Basic Books 2003).

<sup>4</sup> See The California Commission on Access to Justice, *Action Plan for Justice* (April 2007), [http://calbar.ca.gov/calbar/pdfs/reports/2007\\_Action-Plan-Justice.pdf](http://calbar.ca.gov/calbar/pdfs/reports/2007_Action-Plan-Justice.pdf).

<sup>5</sup> See Leslie C. Levin, *Preliminary Reflections on the Professional Development of Solo and Small Firm Practitioners*, 79 Fordham L. Rev. 847 (December 2001); Leslie C. Levin, *The Ethical World of Solo and Small Firm Practitioners*, 41 Hous. L. Rev. 309 (Summer 2004); Carroll Seron, *The Business of Practicing Law: The Work Lives of Solo and Small-Firm Attorneys* (Temple Univ. Press 1996). See also Richard H. Abel, *American Lawyers* (Oxford Univ. Press 1991); see also Jerome E. Carlin, *Lawyers on Their Own* (Rutgers Univ. Press 1962).

<sup>6</sup> See Jay G. Foonberg, *How to Start and Build a Law Practice* (American Bar Association 5th ed. 2004) (1935); K. William Gibson, *Flying Solo: A Survival Guide for the Solo and Small Firm Lawyer* (American Bar Association 4th ed. 2005) (1949); Edward Poll, *Attorney and Law Firm Guide to the Business of Law* (American Bar Association 2d ed. 2002) (1994).

<sup>7</sup> See Community Lawyers, Inc., available at <http://www.community-lawyers.org/1.html> (last visited Oct. 14, 2007). Community Lawyers, Inc. is a tax-exempt, not-for-profit organization founded in 2005 to encourage education, training, and support for legal professionals committed to working in underserved communities. See *id.*