

THE LAWYERS WEEKLY

Renewing the small firm bar

Small communities face a severe shortage of lawyers

By Michael Litchfield

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The Canadian Bar Association BC Branch (CBABC) recently launched a new initiative to deal with the challenges faced by lawyers and small communities throughout B.C. resulting from changing demographics. The Rural Education and Access to Lawyers (REAL) initiative addresses the current and projected shortage of lawyers practising in small communities and rural areas of the province.

The demographics of the legal profession in B.C. reflect the wider trend seen across the country with the proportionally large baby boom generation nearing retirement age. In real terms, this means that 43 percent of lawyers practising in the province are now over the age of 50 and that in the last 10 years the numbers of lawyers aged 51 to 60 has doubled, with an average age across the province of 47 years old.



In small communities, the aging of the profession is even more pronounced, with an average age of over 50 years old. Individual community statistics further reveal a clear aging trend, as seen in locations such as the City of Castlegar in the Kootenay region of B.C., which has an average lawyer age of 62.

The troubling aspect of this demographic data for small communities and rural areas becomes apparent when combined with statistics that indicate a significant trend among new lawyers to prefer practice in urban regions. A 2007 survey of articling students in B.C. revealed that 82.5 percent of students were planning to practise in the urban regions of Vancouver and Victoria.

This trend was also noted by the Law Society of British Columbia's Small Firm Task Force who in their 2007 report stated, "Outside of the urban areas, where there are fewer medium size and larger firms, the absence of younger lawyers is more prevalent. These numbers raise concerns about whether the sole and small firm bar is renewing itself, particularly in less populated parts of the province, and whether pressures and challenges make it more difficult to attract lawyers to sole and small firm practice."

These trends present serious challenges for both the legal profession and the community at large. The challenges for the profession include ensuring the transfer of knowledge from senior to junior practitioners prior to large-scale retirements and ensuring that there are lawyers in place who are willing and able to take over the practice of retiring lawyers in these communities.

For small communities, the changing demographics in the legal profession raise serious challenges in terms of access to legal services and access to justice. While it is apparent that these issues will become more pronounced in the coming years, many small communities and rural areas are already struggling with these challenges. The CBABC has launched the REAL initiative, funded by the Law Foundation of British Columbia, to begin to address these issues (see sidebar for REAL initiative programs).

The initiative has created an immediate impact, for example through the summer student program that

provides funding and support for 11 summer student positions throughout various regions of the province in 2009. Next steps include further engagement and support of various stakeholder groups and the preparation of a comprehensive report that will provide analysis and recommendations for future action.

While the REAL initiative is beginning to address the demographic challenges for B.C. lawyers, these issues require continuing attention. By educating new lawyers on the myriad of benefits of practice in small communities and rural areas, it is possible to attract new lawyers to these areas and thus ensure the transfer of knowledge and access to legal services for these communities in the years to come.

Further information regarding the REAL initiative can be found at www.realbc.org.

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