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New Nonprofit Firm the First Founded by Baby Lawyers

Two recent law graduates in Houston have joined a national trend by launching a new nonprofit law firm to serve low- and middle-income clients.

By **Angela Morris** | April 02, 2018



MacKenzie Dunham, left, and Doug Evans, right, cofounders of nonprofit law firm Access Justice Houston, in their downtown Houston office.

Two recent law graduates in Houston have joined a national trend by launching a new nonprofit law firm to serve low- and middle-income clients.

Access Justice Houston, founded by 2017 University of Houston Law Center graduates MacKenzie Dunham and Doug Evans, has become the fourth Texas-based nonprofit firm—along with DiFilippo Holistic Law Center in Austin, Legal Access Texas in Dallas, and Greater Waco Legal Services in Waco—that are

targeting modest-means clients in an effort to close the justice gap. The other Texas-based nonprofit firms were launched by veteran lawyers; Dunham and Evans are the first recent law graduates to take the plunge.

Observers of the nonprofit firm trend note that there are pros and cons to launching a nonprofit law firm, and that there are alternative career paths for new grads that still help to close the justice gap. In the for-profit world, recent grads, shepherded by legal incubators, have been launching solo practices targeting the modest-means demographic. It's also possible that in the future, the growing number of nonprofit firms will begin offering new public-interest job opportunities, which are currently scarce and competitive.

Alison Grinter, executive director and attorney at Legal Access Texas, said she feels encouraged to see young lawyers so interested in the nonprofit firm world.

"The kind of energy and love for the work that recent law graduates bring is going to really power an industry like this," she said.

Eventually, Dunham and Evans hope to begin hiring other recent law grads for entry-level positions at Access Justice Houston.

"We're trying to meet the need of both modest-means clients and also people coming out of law school who want to do public service. Public service jobs at least in Harris County are very scarce," Dunham said. "If you want to do public-interest work, it's a very viable way of getting your foot in the door."

The [nonprofit firm trend](https://www.law.com/sites/almstaff/2016/09/07/nonprofit-law-firms-benefit-disenchanted-attorneys-in-between-clients/) (<https://www.law.com/sites/almstaff/2016/09/07/nonprofit-law-firms-benefit-disenchanted-attorneys-in-between-clients/>) stems from Open Legal Service, a nonprofit firm in Salt Lake City. The [trendsetter nonprofit](https://openlegalservices.org/nonprofit-law-firm-directory/) (<https://openlegalservices.org/nonprofit-law-firm-directory/>) keeps a directory of 34 nonprofit law firms nationwide.

Nonprofit firm founders share a motivation and passion for helping people gain access to justice. Some founders are recent law grads who wanted to handle public-interest work, but couldn't find jobs with existing nonprofits. Other founders are veteran attorneys from legal aid organizations or big law who are looking for a new future.

Dunham and Evans launched Access Justice Houston with a \$3,000 grant from the University of Houston Law Center's solo incubator. Access Justice Houston serves clients who fall between 125 percent and 400 percent of the federal poverty guideline, charging sliding-scale hourly fees ranging from \$75 to \$160. The nonprofit assists clients with family law, immigration and criminal-defense matters, and consumer protection matters such as evictions or debt collection defense.

To keep rates low, it has focused on using free resources and implementing technology solutions to cut overhead costs. For example, Dunham and Evans are working in a free downtown office donated by a board member, and use the free service Google Voice for their telephones. Their alma mater offers a year of free legal research and practice management tools, and they've found free continuing legal education programs through the State Bar of Texas and Gideon's Promise, which trains defense lawyers for indigent clients.

The goal is to be self-sustaining based on the fees the clients are paying. But once the Internal Revenue Service finishes processing its application for 501(c)3 status, Access Justice Houston will be able to apply for grants as well.

The nonprofit's board of directors set the annual salaries for Dunham and Evans at about \$50,000, which is commensurate with the salary of an entry-level legal aid lawyer. The nonprofit isn't yet making enough revenue to pay Dunham and Evans their full salaries, but they hope that will change when they have more cases and bill more hours.

"Within six months, we should be—if not at our full salaries—then fairly close," said Evans.

To make ends meet in the meantime, both of them entered the income-based repayments program, which set their monthly student loan payments to zero for this year. The amount will change next year after they recertify their income.

“Hopefully in about 10 years, the loans will be forgiven through public loan forgiveness,” Evans said.

Qualifying for public loan forgiveness is the biggest benefit for new grads who launch nonprofit firms, noted Luz Herrera, professor and associate dean for experiential education at Texas A&M University School of Law in Fort Worth.

Nonprofits also qualify for donations or grants, unlike for-profit practices. Courts and other legal aid providers are allowed to refer clients to a nonprofit firm, which they can't do for traditional practices, said Herrera, who organized last year's Incubator Consortium, a conference for incubators and nonprofit firms. However, on the negative side, the lawyers who work at a nonprofit firm won't have the same level of control over the direction of the business. The nonprofit's board makes those decisions.

It could also be a headache for a baby lawyer to learn to practice law, and simultaneously learn to run a nonprofit.

Grinter, who co-founded Dallas' Legal Access Texas after practicing criminal defense for 12 years, noted that a new nonprofit firm will face all of the difficulties of opening a solo for-profit practice. But there are extra challenges to understand the intricacies of the nonprofit world.

“I know enough about the practice of law that I was able to add on the strain of managing a nonprofit,” Grinter said. “I can't even fathom trying to learn both at once.”

A for-profit, low bono practice is an alternative for recent grads who want to help modest-means clients.

Herrera said that more than 60 legal incubators, launched in the past 10 years, have driven law students and recent grads to take an interest in low bono models. Whether a nonprofit or for-profit firm, she noted, a new lawyer must have a solid plan to make the venture sustainable.

“They are not always going to be successful,” she said. “Whether it’s nonprofit or for-profit, you have to remember: these are businesses, so all the same rules apply.”

A low bono practice will not generate as much revenue or provide as high a salary, compared with a traditional solo practice.

“You’re not going to live in the penthouse and drive the fanciest car,” said Herrera, who ran a low bono practice for six years before she became a law professor. “They have to live modestly. This idea you’re going to be a high-roller lawyer in the first few years—it’s hard to do as a low bono lawyer, but people can make a living.”

Living on a tight budget is nothing new to low bono solo Mario Cantu. After graduating from St. Mary’s University School of Law in 2015, he earned the salary of a staff attorney at San Antonio-based nonprofit RAICES, which provides free and low-cost legal services to immigrants.

Cantu always had an entrepreneurial spirit and knew he’d wind up opening his own practice. When he left RAICES, Cantu said he thought about creating a nonprofit firm, but opted for a for-profit practice.

“Opening a nonprofit was daunting. I know from working at the nonprofit RAICES, they were depending on grants and private donations. I didn’t see it as workable in the situation I was in financially,” explained Cantu, a participant in the State Bar of Texas legal incubator, the Texas Opportunity and Justice Incubator.

Modest-means clients are still the target of Cantu’s immigration practice. He serves people whose income falls between 125 percent to 400 percent of the federal poverty guideline. He charges flat rates: A green card petition would be \$500, citizenship and

naturalization ranges from \$500 to \$600, and Deferred Action for Childhood Arrivals forms for a “dreamer” cost \$200.

Whether going the nonprofit route or opening a traditional practice, low bono lawyers are driven by a passion to help people.

Access Justice Houston co-founder Evans noted that money has never been the biggest draw for public-interest attorneys.

“If I’m not making the megabucks, then what can I do that actually makes me feel happy and also make a living? Maybe not the greatest living, but it still makes ends meet,” he said.

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