AMERICAN IMMIGRATION LAWYERS ASSOCIATION

The AILA Marketplace Study 2022

A national reference on the economics of immigration law practice

AILA Doc. No. 22050251. (Posted 11/7/22)

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Introduction

Welcome to the 2022 AILA Marketplace Study. We are pleased to present this important data to help you make informed career choices and manage your immigration practice. This is the fourth study of the economics of immigration law practice developed by AILA in the past dozen years.

We learn from each edition, so we have streamlined this latest report to be more readable while continuing to slice and dice the data to make them applicable to as many members' situations as possible. To that end, we have expanded the demographic information we collect to provide more insights than prior editions. Furthermore, we have placed the important information at the forefront and relegated explanations of methodology to the end.

We received over 1,700 responses to our survey questions, giving us high confidence in our overall data. In this study we have limited data to the mean, instead of median, because it is deemed most accurate. The mean (also called the average or arithmetic average) is calculated by adding the values of all responses, then dividing by the number of responses. As explained in Methodology, where there are fewer responses, readers should have less confidence in the exact number in that particular segment. We note those with the label, "*Small sample size."

The purpose of data analysis is to shorten the time between observation and insight. Apply these data points to your own firm observations, practice, or career to make better decisions for your future.

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Ten Highlights and Noteworthy Trends

1. **The most striking change in this study is the environment in which we each work.** The pandemic has significantly influenced the ways we engage with clients, courts, agencies, potential clients, colleagues, and coworkers. Whether all of those changes are temporary or permanent will be a point of interest in future studies.

2. **Personal income for most respondents rose by at least 10%** over the past three years, with some categories seeing increases of 20% or more.

3. **Salaries paid to associates, paralegals, and legal assistants increased about 20%** from 2018 to 2021 across many categories.

4. Despite greater increases in women's salaries than in men's, **women on average still make only 71% of what men make in immigration practice.**

5. In addition to gender, **for the first time, we tracked personal income based on ethnicity.**

6. **Pro bono hours donated by respondents each year dropped significantly** during the pandemic — to about one-third of what they were in 2019.

7. Although male and female firm owners pay their employees similarly in the first few years of service, **female owners pay up to 8.75% more than male firm owners to employees with six or more years of experience.**

8. **Nearly all types of marketing activity decreased** again this study, but it didn't seem to affect the amount of work immigration lawyers felt they had as those reporting insufficient work decreased too.

9. **Technology adoption was super high.** Videoconferencing use rose 31% and Microsoft Office 365 use jumped 25% since 2019.

10. **Immigration case management software usage has changed,** resulting in a new leader in the market.

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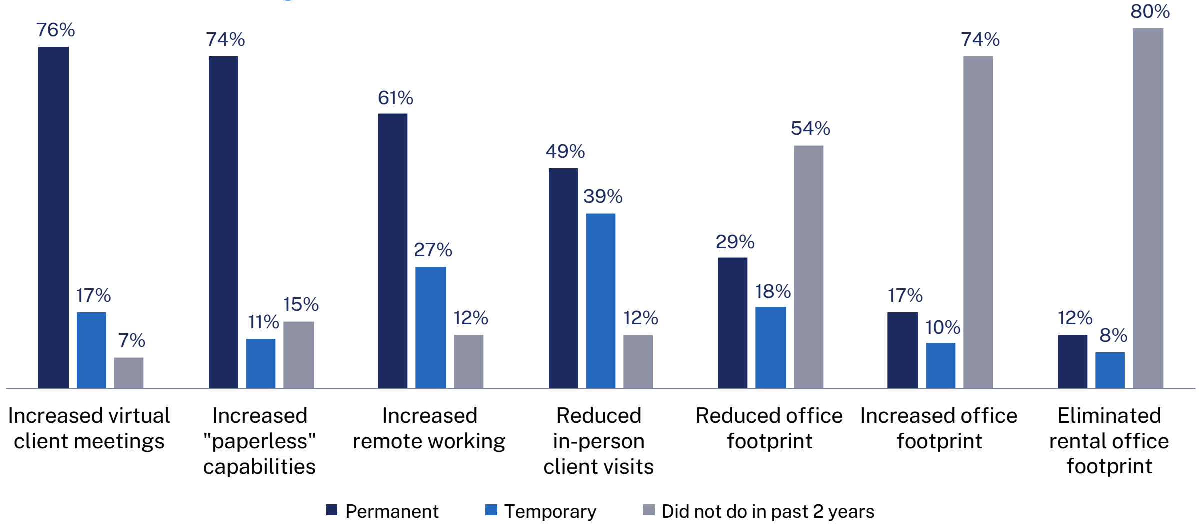
The Changing Landscape of Work

The pandemic caused many firms to adopt new technologies, accelerate their virtual work capabilities, and find ways to collaborate with clients remotely. But whether these changes would be merely temporary or become a permanent fixture of immigration law firms remains a question. Respondents mostly say they intend to keep these changes.

Temporary vs. Permanent Changes

We asked immigration lawyers to tell us what changes they made and whether they intend for those changes to be permanent or temporary (**Exhibit 1**). More than three-fourths (76%) of respondents said that virtual meetings with clients is a change they intend to keep, and nearly that number (74%) said they would also retain their improved paperless capabilities. While 12% of respondents did not reduce in-person meetings in the last period, 39% did so temporarily, and another 49% said they did so permanently. Sixty-one percent said they increased their remote working permanently, but interestingly, only 29% reduced their office footprint permanently, and 12% eliminated their in-person office altogether.

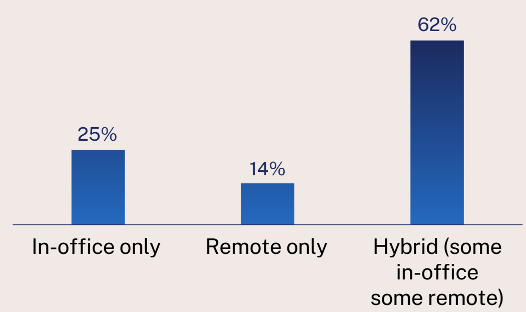
Exhibit 1: Practice Changes in Past Two Years



Work Environment

While most immigration lawyers are keeping a commercial office location, they are also working from home (**Exhibit 2**). While only 14% are exclusively remote workers, nearly two-thirds of respondents have some hybrid arrangement. One-quarter are back in the office, but it doesn't mean they are seeing clients in person at the same rate they did before (see above: 49% permanently reduced in-person visits).

Exhibit 2: Personal Work Environment



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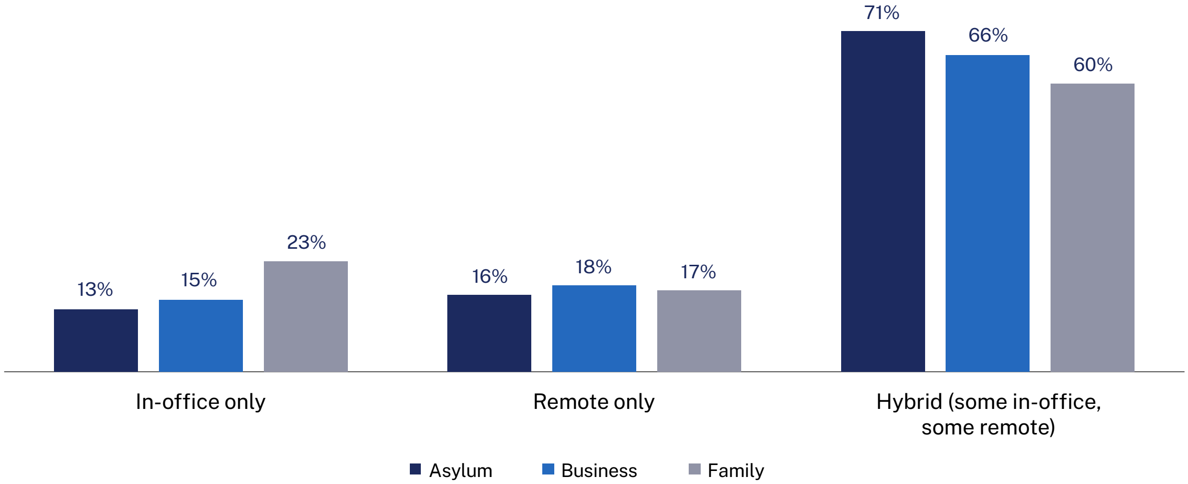
Broken down by gender, men are more likely to work only in the office (+5 points), and women are more likely to work hybrid (+2 points).

Broken down by predominant general practice area, family immigration practitioners reported being in-office only the most (**Exhibit 3**). Two-thirds of business immigration and asylum/removal lawyers who responded have a hybrid working arrangement.

Exhibit 3: Work Environment by Practice Area



There are slight regional variations in where immigration lawyers work. Immigration lawyers in the West work remotely more than the average by 4 points, immigration lawyers in the South work in-office only at a rate 6 points higher than the average, and immigration lawyers in the Northeast are 4 points higher in their hybrid working (**Exhibit 4**).

Exhibit 4: Work Environment by Region

	West	Midwest	South	Northeast	Overall Average
In-office only	20%	26%	31%	20%	25%
Remote only	18%	10%	12%	14%	14%
Hybrid (some in-office, some remote)	62%	63%	57%	66%	62%

Meeting Clients Virtually

Immigration lawyers are meeting remotely with clients at significant rates. Immigration clients are frequently outside of the United States or in a different state than their lawyer, so working with clients over the phone or teleconference was common before the pandemic. But it remains notable that 43% of respondents work virtually with their clients more than 75% of the time (**Exhibit 5**). Only 2% of respondents never work remotely with their clients.

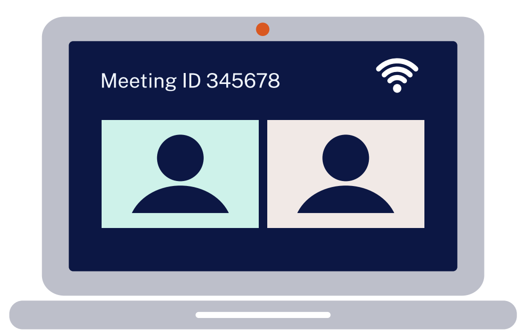
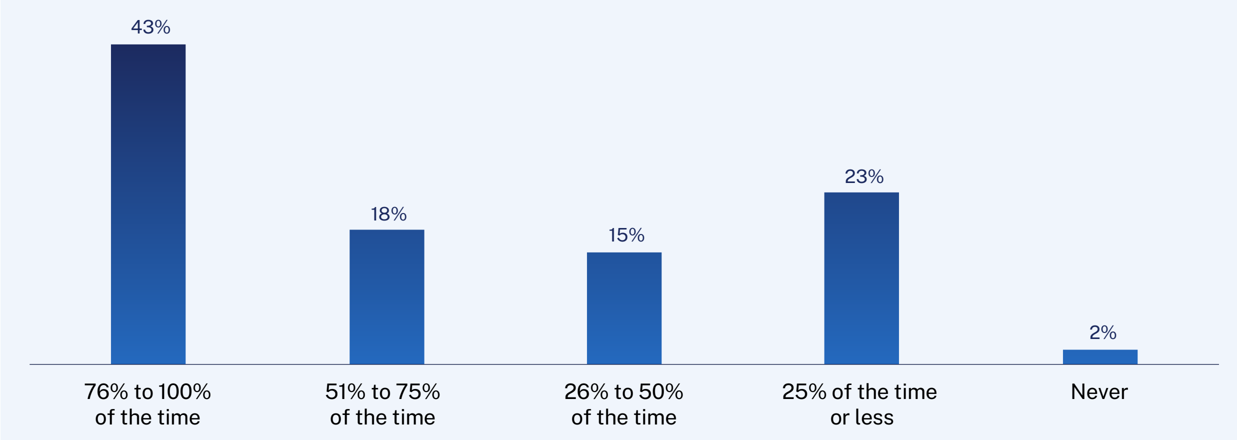


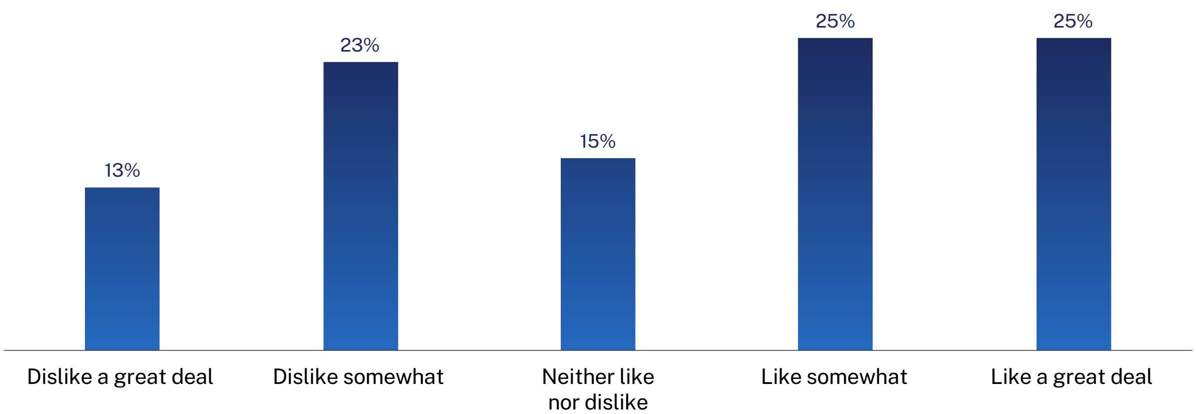
Exhibit 5: Rate of Meeting Clients Remotely



Virtual Courtrooms

We also asked what respondents thought about remotely appearing in immigration court. Of those who appeared in immigration court (48% of respondents), half approved (**Exhibit 6**). Only 13% disliked it a great deal.

Exhibit 6: Opinion of Video Technology in Court Hearings



Even though we believe these work-environment changes will become permanent, if we cross-reference satisfaction percentages with work environments, there is a concerning dip in satisfaction for remote immigration lawyers, who answered too little satisfaction 6% *more* often and a great deal 6% *less* often than the average immigration lawyer (**Exhibit 7**). Those responding in-office only have an inverse difference, though less pronounced. Although the difference is small, this indicates that immigration lawyers get more satisfaction from hybrid or in-office working than remote only.

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Exhibit 7: Satisfaction Among Various Work Environments and Overall

	In-office only	Remote only	Hybrid (some in-office, some remote)	Overall satisfaction
A great deal	50%	41%	47%	47%
Quite a bit	30%	33%	32%	30%
Enough	18%	15%	16%	17%
Too little	3%	11%	4%	5%

With the same data broken down by gender, it appears both male and female immigration lawyers express more satisfaction with in-office only or hybrid work environments, and less with remote only. But men dislike remote more. Men who work remote only reported too little satisfaction 11% *more* than the average (**Exhibit 8**). Of those working remotely, only 42% of women get a great deal of satisfaction (5 points below average) while only 33% of men do (14 points below average).

Exhibit 8: Work Environment and Satisfaction by Gender

	In-office only		Remote only		Hybrid (some in-office, some remote)	
	Females	Males	Females	Males	Females	Males
A great deal	53%	50%	42%	33%	51%	43%
Quite a bit	27%	25%	34%	37%	30%	35%
Enough	15%	24%	15%	14%	14%	20%
Too little	4%	2%	8%	16%	4%	3%

Typical Workday, Workload, and Personal Satisfaction

There are common elements to an immigration lawyer's workday and year. We cross some of those elements with satisfaction.

Distribution of Hours in the Average Workweek and Year by Activity

Exhibit 9 provides a snapshot of a typical immigration lawyer's workweek. They manage their workload and practices, do work that they don't bill clients for, volunteer in the community, market their services, and attend CLEs, among other professional tasks. We compare current data to the workweek reported in 2019 — before the pandemic. Significantly, 87% of respondents primarily work on a flat-rate basis and, as this exhibit shows, working on an hourly basis has dropped significantly for the typical immigration lawyer.

Other activities during each workweek stayed about the same except for a significant drop in the number of volunteer hours — both pro bono hours worked each year and community service hours. It's understandable that community organizations cut back on activities. Further, pro bono fatigue is significant, according to numerous anecdotal sources, but an almost two-thirds drop in those hours from 2019 is cause for further research and reflection. Much of this reduction may be due to firms reducing their risks during COVID, but no other economic or practice indicator in this study dropped as much as this statistic. As professionals, we all need to reflect further on this change and move to quickly return it to former levels.

Exhibit 9: Distribution of Hours in the Average Week and Year by Activity

	2019 hours	2022 mean hours
Hours per week		
Legal work based on an hourly rate	14	5
Legal work based on a flat/fixed rate	30	30
Write-downs (non-compensable work for clients — not pro bono)	NA	5
Office administration	8	8
Marketing/networking activities	4	4
Hours per year		
CLE hours	22	19
Pro bono hours	54	19
Community service, including work in professional organizations	46	15

There was a significant drop in the number of volunteer hours — both pro bono hours worked each year and community service hours. Further, pro bono fatigue is significant. Much of this reduction may be due to firms reducing their risk during COVID.

Exhibits 10 and **11** show that a typical workweek can still vary among lawyers. However, almost all engage in the same activities that go beyond billable work for clients, but they do so to differing degrees.

Exhibit 10: Average Hours per Week Spent on Tasks

Hours per week	1–5	6–10	11–20	21–30	31–40	41–50	51–60
Office administration	38%	33%	13%	5%	2%	1%	0%
Write-downs (non-compensable work for clients — not pro bono)	37%	21%	7%	2%	1%	1%	0%
Marketing/networking activities	50%	13%	5%	2%	1%	0%	0%
Legal work based on an hourly rate	21%	9%	6%	4%	3%	2%	1%
Legal work based on a flat/fixed rate	4%	5%	12%	20%	24%	14%	5%

Exhibit 11: Average Hours per Year Spent on Key Activities

Hours per year	1–5	6–10	11–20	21–30	31–40	41–50	51–60
CLE hours	7%	16%	36%	17%	9%	3%	2%
Pro bono hours	18%	14%	14%	8%	7%	5%	3%
Community service, including work in professional organizations	21%	14%	12%	7%	5%	5%	3%

Hourly Rates and Flat Fees

As mentioned above, 87% of respondents report they work on a flat-fee basis, while the remaining 13% say they bill their work on an hourly basis. This is mostly consistent across the three common immigration practice areas — asylum/removal, family, and business.

While we are not permitted to gather and report typical flat fees (a decision made by the AILA Board of Governors a decade ago), we do have good insights into changes respondents are making to their fees. We have helpful and robust hourly rate data.

Setting the correct hourly rate for your clients and practice is part science and part art. It helps to review what others have charged in the past to get a sense of the overall market. There are several factors that go into setting, earning, and collecting fees, including practice size, experience, location, client expectations, and cost of doing business, among others. Here are the 2021 hourly rates, analyzed using several common factors:

Exhibit 12: Hourly Rate by Years in Practice

Years in practice	2021 mean hourly rate	N**	2018 mean hourly rate
1–2 years	$245	78	$261
3–5 years	$265	104	$249
6–10 years	$295	183	$275
11–15 years	$322	186	$298
16–25 years	$333	249	$325
26+ years	$383	202	$354

***Number of respondents*

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Hourly rates increased in most years-of-experience categories, except for lawyers new to immigration practice (**Exhibit 12**).

Exhibit 13: Mean Hourly Rates by Practice Size

Size of firm	2021 hourly billing rate	N	2018 hourly billing rate
1	$292	411	$275
2–5	$318	346	$300
6–20	$348	129	$349
21–50	$360	35	$413
51–100	$297	9*	na
101+	$535	73	na

**Small sample size*

As in past studies (and typically understood within the profession), hourly rates are higher in larger firms.

Exhibit 14: Mean Hourly Rate by Job Category

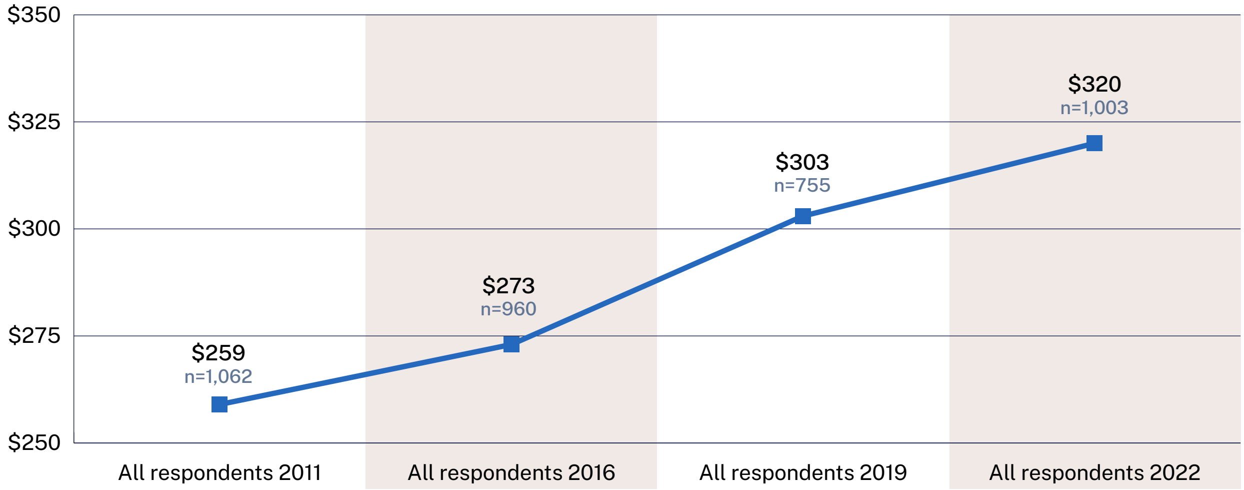
	2021 mean	N	2018 mean
Solo practitioner sharing space	$300	405	$259
Solo practitioner with 1+ associates	$347	82	$319
Solo practitioner with office outside home	$304	94	$279
Solo practitioner with home office only	$313	116	$251
Associate in firm with 1 partner/shareholder	$289	77	$274
Associate in firm with 2–5 partners/shareholders	$302	85	$279
Associate in firm with 6–20 partners/shareholders	$247	16*	$293
Associate in firm with 21+ partners/shareholders	$370	30	$355
Partner in firm with 2–5 partners/shareholders	$350	203	$327
Partner in firm with 6–20 partners/shareholders	$437	17*	$378
Partner in firm with 21+ partners/shareholders	$618	40	$443
Of counsel	$409	20*	$336

**Small sample size*

In addition to firm size, being a partner or owner in a firm increases the hourly rate charged by immigration lawyers versus employees (associates) in the firm. This is often, but not exclusively, related to experience and years in practice.

Hourly rates for most lawyers have climbed steadily over the past decade at a consistent rate of 2% per year or an average of $6 per hour per year (**Exhibit 15**). This correlates to the generally accepted low inflation rates of the past decade. Because our data are for 2021, we do not know the impact recent inflationary pressures have had on hourly rates. Further, this small but steady increase over the previous decade does impact attorney compensation as we detail in a separate section of this study.

Exhibit 15: Long-Term Trends in Mean Hourly Rates



Changing Fees

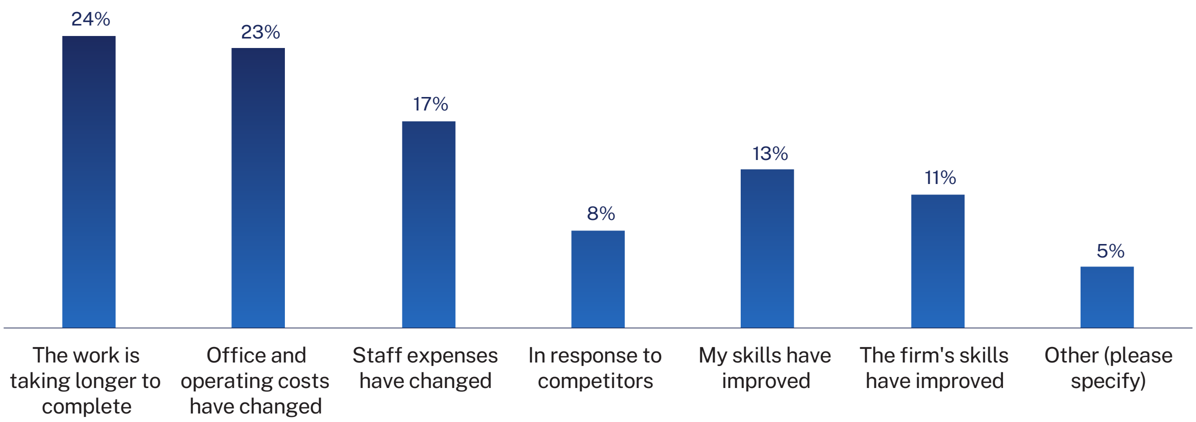
Our survey shows that 60% of respondents have reviewed their flat-fee rates in the past year, meaning that 40% have not taken time to review their rates. When respondents changed their flat fees in the past two years, 73% raised their fees an average of 10% or less. However, 27% of respondents — slightly more than one-quarter — raised their fees by anywhere from 11% to more than 20%.

Only 27% of respondents changed their hourly rates in the past year, with 14% not changing them within two years, and 46% reporting it has been more than two years since they changed their hourly rates. Yet the mean hourly rate for all respondents hit $320 per hour in 2021. That compares to $303 per hour in 2018. So, fewer hourly billers have reviewed their rates in the past year, but 72% of those that have increased rates by 10% or less. Similar to flat fees, 28% of hourly billers who raised their rates in 2021 raised them by anywhere from 11% to more than 20%. This compares almost identically to flat-fee billers.

Reasons for Changing Fees

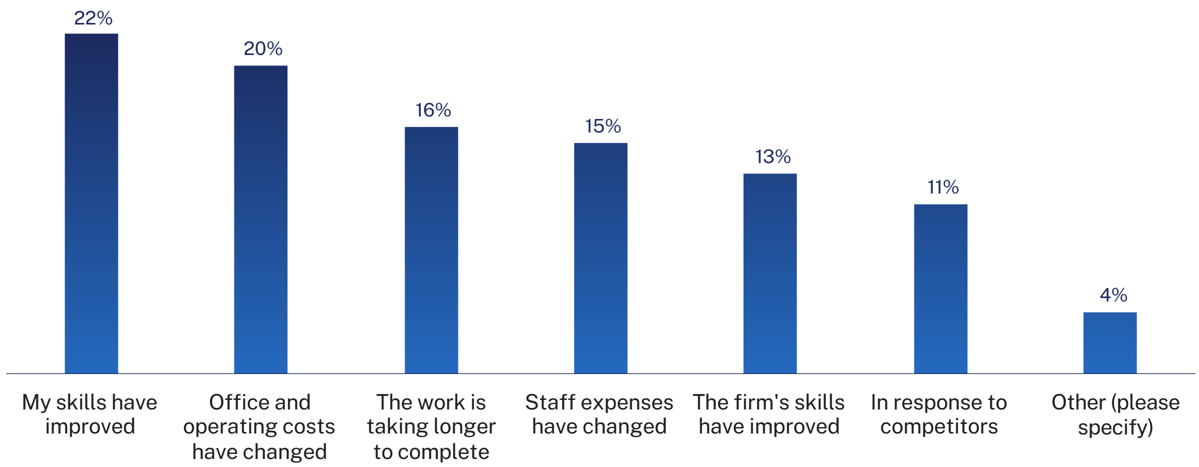
For those respondents who changed their flat fees, they cited the factors shown in **Exhibit 16**.

Exhibit 16: Leading Factors in Flat-Fee Rate Changes



Hourly billers had slightly differing reasons to change their rates.

Exhibit 17: Leading Factors in Hourly Rates Changes



Those who bill on an hourly basis had similar behavior when it came to reviewing their rates and increasing their fees as lawyers using flat fees. However, their reasons for making changes are different. More hourly billers cited their skills improving as their top reason for raising their hourly rate. They also cited increased operating costs and that the work is taking longer as reasons for the increase but not as often as cited by flat-fee billers.

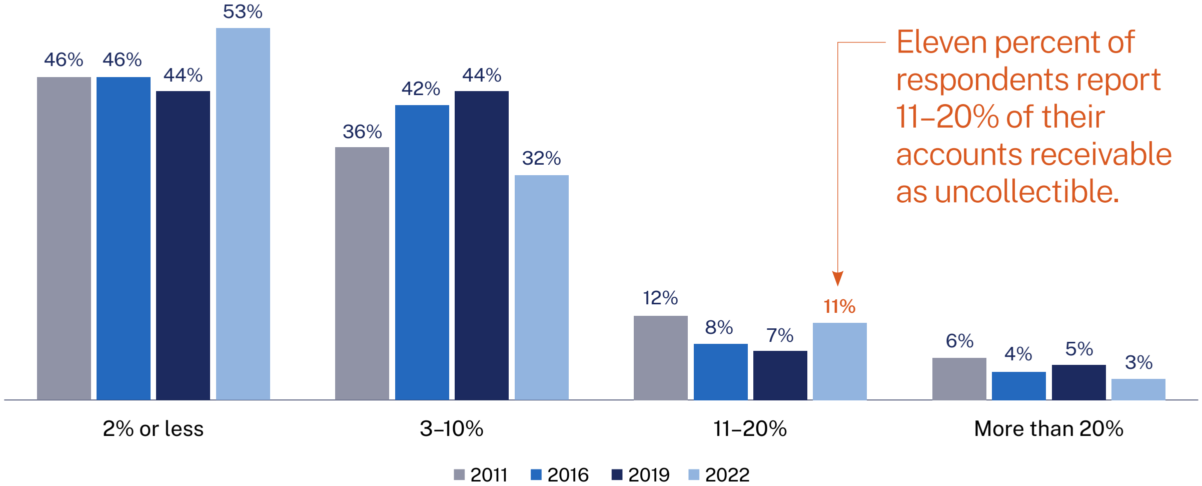
Given the skyrocketing costs of labor and other expenses, it seems prudent for firms to review costs this year. While the data show more respondents are revising their rates more frequently than in 2018, the data also reveal that labor costs (often the largest expense in a law firm) have increased at twice the rate of fee increases. (See Staff Salaries on page 23.) In other words, if you feel you are working harder to earn the same amount of money, you are probably correct.

Collecting Fees and Client Behaviors

Most lawyers are doing an excellent job of collecting the money they earn. In fact, 53% of lawyers have less than 2% of earned fees outstanding — the highest level since we started tracking this statistic in 2011 (**Exhibit 18**). That doesn't mean it is easy to do, but many are successfully employing techniques and policies that encourage clients to pay the fees they have agreed to pay. However, we do see a troubling trend of uncollectible fees impacting a growing number of lawyers.

53% of lawyers have less than 2% of earned fees outstanding.

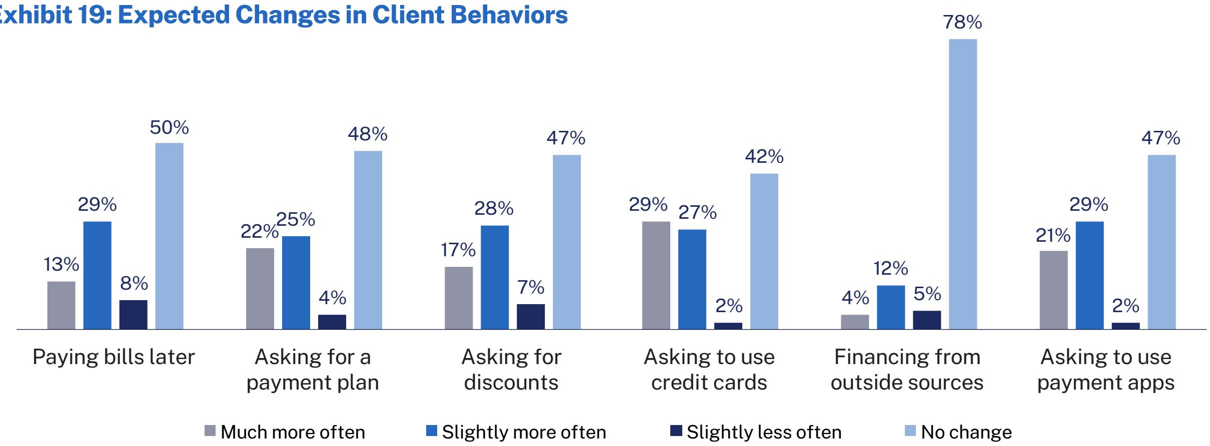
Exhibit 18: Uncollectible Fees Percentages From 2011 to 2022



While 53% of respondents have 2% or less of uncollectible fees — a positive trend since 2019 — 11% of current respondents designate 11-20% of their accounts receivable as uncollectible, as compared to 7% in 2019. This percentage is as high as 2011 when we were emerging from the mortgage crisis of 2008–09. Accounts receivable — money individual clients owe the firm for work completed but not fully paid — with more than 120 days since last payment are often deemed uncollectible. If more than 10% of your client accounts are uncollectible, this is a huge warning sign that better client selection, collection, and credit policies must be put in place, otherwise the firm will be working even harder and longer each day to make up for that lost revenue. The 3% of lawyers with more than 20% uncollectible fees need to take those steps immediately.

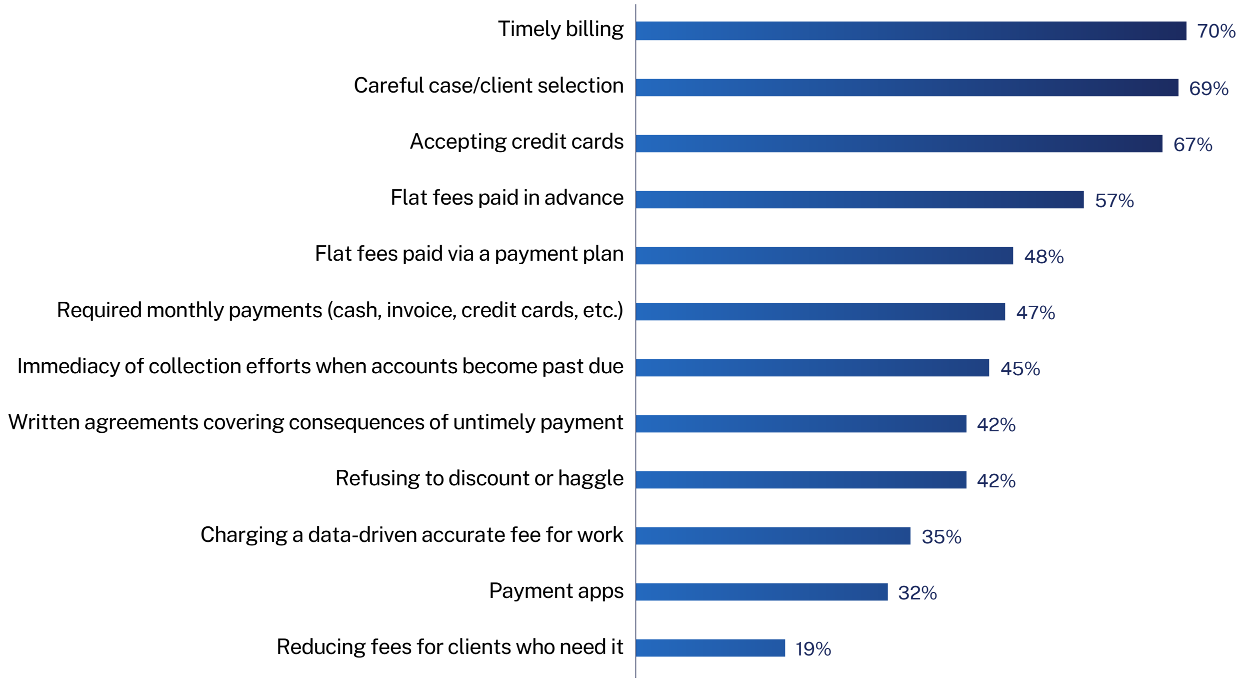
We added a new question to the survey to begin to track the use of payment apps, such as Venmo, and immigration fee lenders, such as Capital Good Fund, in the financial tools lawyers use to get paid, shown in **Exhibit 19**. These new tools have the potential to improve financial health of firms, but lawyers still expect credit cards and payment plans to continue to be popular.

Exhibit 19: Expected Changes in Client Behaviors



Immigration lawyers continue to utilize numerous tools and techniques to improve the percentage of revenue collected from clients. Very few lawyers collected 100% of the fees they earned, so many use tools such as credit cards, payment plans, and third-party financers (**Exhibit 20**). It must be noted that the popularity of the top three tools — timely billing, careful client selection, and acceptance of credit cards — grew by 10% since our 2019 study, indicating that those tools work best for most survey respondents. The other tools stayed about the same in popularity except for payment apps (new to our survey), which are already viewed by a third of respondents as an important payment tool.

Exhibit 20: Vitally Important Factors in Realizing Fees



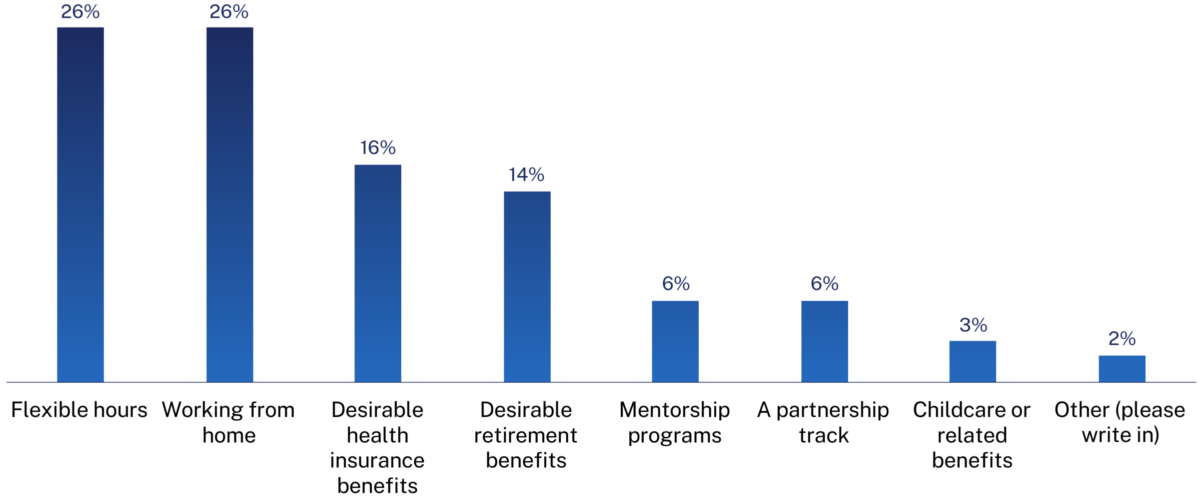
It is also important to note that 82% of respondents use a written fee agreement signed by the client and attorney to memorialize the engagement. Some 12% of respondents use an engagement letter signed only by the client, and only 3% of respondents use merely a written disclosure. Using a written fee (or representation) agreement is the safest course of conduct for lawyers and such wide use should be applauded.

What Is Your Workplace Like?

For the first time, we asked what benefits are provided at respondents' workplaces. Employee benefits are an important component of employee compensation to attract and retain talent. Just over a fourth of respondents cited flexible hours and the ability to work from home. Sixteen percent said they had desirable health insurance, 14% said they had a desirable retirement plan, and 6% said mentorship and partnership track were parts of their benefits package (**Exhibit 21**). Only 3% of the law firms have childcare or a related benefit.

A small percentage responded that they had other benefits and listed such things as short- and long-term disability insurance and policies, life insurance, unlimited paid time off or sick leave, limited vacation time and mental health days, sabbaticals, bonuses, supportive colleagues, and community mission or engagement. A handful of respondents who indicated other said they were solo practitioners, implying there is not an expectation of benefits in a solo practice.

Exhibit 21: Benefits Provided by Law Firm

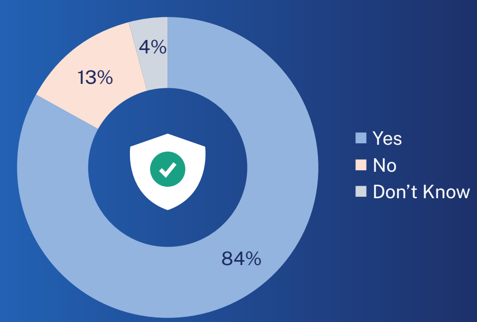


As a point of comparison, consider that according to the National Federation of Independent Businesses, an association of small businesses, 71% of small businesses offer flexible working hours and 38% offer retirement benefits such as a 401(k). According to the Kaiser Family Foundation annual survey of employer health benefits in 2021, 49% of small businesses offer some health insurance benefit. Only 6% of all U.S. businesses, no matter the size, offer childcare benefits according to a 2020 report from the U.S. Bureau of Labor Statistics.

Malpractice Insurance

A large majority of immigration lawyers carry malpractice insurance (84%), though there is still a minority who do not (13%) (**Exhibit 22**). Four percent of those surveyed said they don't know if there is coverage. As an associate, one should be aware of the malpractice coverage at the firm and feel comfortable calling the provider with questions and to ask for help with risk prevention. AILA's Malpractice Insurance is the leading provider, as it was in the 2019 study.

Exhibit 22: Malpractice Insurance



Diversity, Equity, and Inclusion

In coordination with AILA's Diversity, Equity, and Inclusion Committee, we collected additional demographic information and asked new questions about diversity, equity, and inclusion (DEI) for the first time.

The additional demographic data have helped us expand how we can analyze our economic data. Where we have the statistically necessary participation, we can provide new insights in this study. Additionally, we asked specific questions about the use and adoption of law firm DEI policies and initiatives. Here is what we learned.

DEI Policies

Nearly three-fourths of immigration firms encourage language diversity in the law firm and more than two-thirds affirmatively hire those who reflect the community they serve (**Exhibit 23**). More than half will also be receptive to client requests for a diverse term. Other policies are present in between 10 and 34% of law firms.

74%

of firms encourage language diversity, and two-thirds affirmatively hire those who reflect the community they serve.

Exhibit 23: Diversity, Equity, and Inclusion Policies in Firms

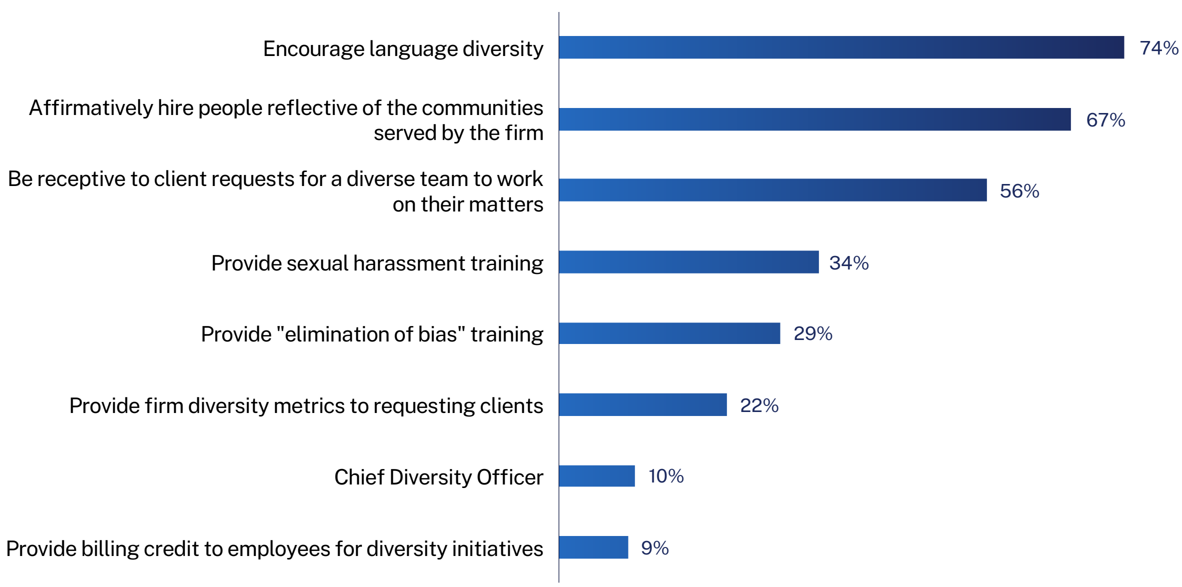
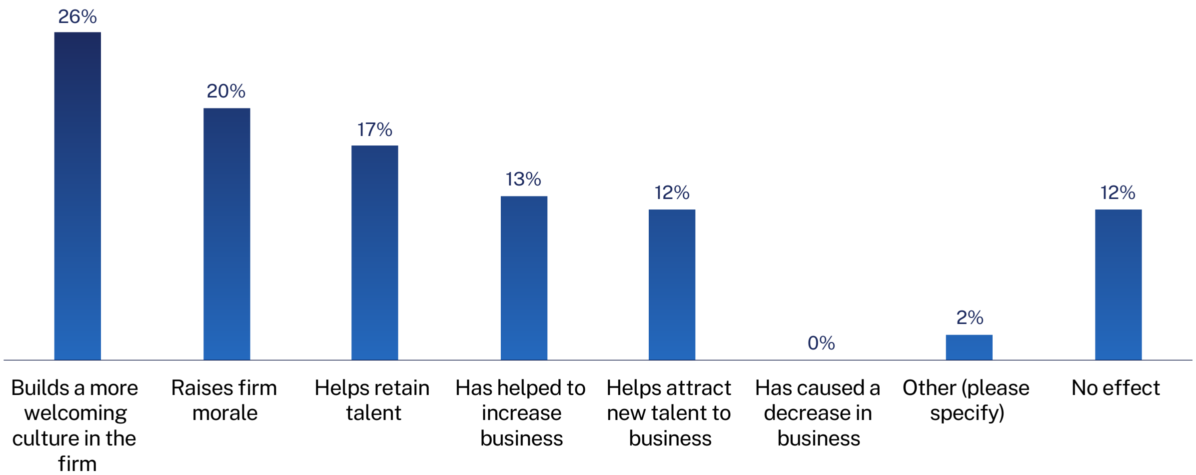


Exhibit 24 shows the effect of such initiatives. Respondents cited that it creates a more welcoming firm culture most often (26%), followed by raising firm morale (20%), and helping retain talent (17%). In line with recent DEI efforts within AILA and the legal profession, we will continue to track the usage of these and other policies to improve the understanding of diversity, equity, and inclusion within law firms of all sizes. We will also track the impact of these policies within firms over time.

Exhibit 24: Effect of DEI Initiatives



Attorney Personal Income

Personal annual income is the amount of income respondents are paid by a firm or organization as an employee or earned as an owner or partner in a law firm. It does not take into account other income potentially earned by a respondent. The annual incomes of respondents have risen across almost all segments of the market.

Exhibit 25: Attorney Net Income by Practice Category

	2021 mean	N	2018
Solo practitioner sharing space	$135,794	469	$103,332
Solo practitioner with 1+ associates	$231,959	97	$187,778
Solo practitioner with office outside home	$136,108	449	110,215
Solo practitioner with home office only	$179,047	139	$66,973
Associate in firm with 1 partner/shareholder	$99,020	102	$69,269
Associate in firm with 2–5 partners/shareholders	$93,069	101	$94,186
Associate in firm with 6–20 partners/shareholders	$111,932	22*	$101,300
Associate in firm with 21+ partners/shareholders	$171,071	35*	$133,467
Partner in firm with 2–5 partners/shareholders	$230,507	227	$212,508
Partner in firm with 6–20 partners/shareholders	$302,083	18*	$188,025
Partner in firm with 21+ partners/shareholders	$332,012	41*	$331,678
Of counsel	$167,857	21*	$94,921
In-house counsel, for-profit	$130,833	15*	$91,473
In-house counsel, nonprofit	$107,813	16*	$75,667
Legal aid/legal services	$75,000	170	$68,135

Small sample size

The annual incomes of respondents have risen across almost all segments of the market.

Despite greater increases in women's salaries than in men's, women on average still make only 71% of what men make in immigration practice.

Men make more than women in almost all practice categories this study (**Exhibit 26**), though note that many of these categories have small sample sizes which makes results less reliable.

Exhibit 26: Mean Net Income by Gender and Practice Category

	2021 mean		N		2018	
	Female	Male	Female	Male	Female	Male
Partner in firm with 6–20 partners/shareholders	$235,417	$375,000	6*	7*	205,000	275,000
Partner in firm with 21+ partners/shareholders	$326,563	$370,455	24*	11*	142,500	200,000
Of counsel	$121,429	$287,500	14*	2*		
Partner in firm with 2–5 partners/shareholders	$212,700	$273,242	125	64	115,000	163,000
Associate in firm with 21+ partners/shareholders	$156,250	$268,750	18*	4*		
Solo practitioner with 1+ associates	$212,813	$256,908	40*	38*	120,000	150,000
In-house counsel (for-profit organization)	$120,833	$225,000	6*	4*		
In-office only	$168,849	$198,113	63	53*		
All respondents	$137,958	$194,335	765	331	82,000	110,000
Hybrid (some in-office, some remote)	$127,193	$176,031	171	97		
Remote only	$102,778	$150,806	63	31*		
Associate in firm with 1 owner/shareholder	$96,364	$119,022	55*	23*	70,000	66,000
Associate in firm with 2–5 partners/shareholders	$97,500	$85,417	65	12*	74,750	107,500
Counsel with legal aid/services	$76,008	$73,125	124	20*	55,000	65,000
Associate in firm with 6–20 partners/shareholders	$131,250	$70,833	14*	3*		
In-house counsel (nonprofit organization)	$109,821	$0	14*	0*		

**Small sample size*

Attorney Personal Income by Practice Area

For the first time, we have analyzed attorney income data by the three most common immigration practice areas.

Exhibit 27: Personal Income for 2021 by Practice Area

	Asylum	Business	Family
Mean income (total respondents)	$104,167 *N=76*	$209,923 *N=343*	$105,099 *N=155*
Mean income (for-profit only)**	$123,214 *N=42**	$213,376 *N=332*	$111,300 *N=128*

**Small sample size   **The income range for each practice area was $50,000 to $500,000.*

What we have long suspected is clear from the numbers in **Exhibit 27**: business immigration lawyers make more money than their colleagues who primarily handle asylum and family immigration matters. Please note, the responses that make up these numbers are from respondents who derive at least 50% of their income from that one practice area. Still, the income differences across these three practice areas are stark.

Business immigration lawyers have almost twice the annual income of asylum and family immigration lawyers. The difference is slightly less stark when we exclude respondents

AILA Doc. No. 22050251. (Posted 11/7/22)

designated as nonprofit who are paid less on average than for-profit lawyers. We see that impact on asylum practitioners as mean income rises approximately $19,000 per year (about 15% more) when nonprofit respondents are excluded from the data.

Practice setting and ownership status within the firm have significant impacts on income. Firm owners/partners often make more because they enjoy the profits from the firm, and those in larger firms tend to have larger profits based on the work and billings of more lawyers in the firm.

Exhibit 28: Attorney Net Income by Practice Category

	Mean	N
Solo practitioner sharing space	$135,794	469
Solo practitioner with 1+ associates	$135,794	469
Solo practitioner with office outside home	$136,108	449
Solo practitioner works in office only	$179,047	139
Associate in firm with 1 partner/shareholder	$99,020	102
Associate in firm with 2–5 partners/shareholders	$93,069	101
Associate in firm with 6–20 partners/shareholders	$111,932	22*
Associate in firm with 21+ partners/shareholders	$171,071	35*
Partner in firm with 2–5 partners/shareholders	$230,507	227
Partner in firm with 6–20 partners/shareholders	$302,083	18*
Partner in firm with 21+ partners/shareholders	$332,012	41*
Of counsel	$167,857	21*
In-house counsel, for-profit	$130,833	15*
In-house counsel, nonprofit	$107,813	16*
Legal aid/legal services	$75,000	170

**Small sample size*

Lawyer Personal Income: Flat-Fee vs. Hourly Billers

As set forth in **Exhibit 28** above, the majority of AILA members bill on a flat-fee basis. Interestingly, those that bill on an hourly basis have higher personal annual incomes across all practice settings. On average, those lawyers who bill on an hourly basis make 19% more than lawyers who bill on a flat-fee basis. In other words, flat-fee billers essentially have to work 20% longer each day to make the same amount of money (**Exhibit 29**). Given the continued uncertainty of time and effort in cases done on a flat-fee basis, coupled with this income statistic, will more immigration lawyers choose to move to a different billing method?

+19% The average increase in earnings of lawyers who bill on an hourly basis vs. a flat fee.

Exhibit 29: Mean Net Income by Billable Hours Worked in the Average Work Week

	Billed hourly		Billed using flat fees	
	Mean net income	N	Mean net income	N
1–5	$177,264	254	$144,643	49
6–10	$137,723	112	$127,899	69
11–20	$154,291	67	$127,685	149
21–30	$176,744	43	$143,115	256
31–40	$191,544	34*	$167,441	296
41–50	$215,909	22*	$190,214	175
51–60	$281,944	9*	$165,476	63
61+	$237,500	3*	$174,348	115

** Small sample size*

Exhibit 30 looks at personal income by gender. When compared to our last survey, females have gained ground over males. The average increase for women has been almost three times the increase when compared to men over the same period.

Women still trail men at most income levels except those at the lowest levels (**Exhibit 31**). Meaning, more women than men make less than $100,000. Conversely, more men than women make more than $150,000, despite the fact the AILA membership (i.e., the marketplace) is predominantly female.

Despite the gains women's salaries made, they still earn only 71% of what men earn. The 2019 study appeared to be closing that gap, but here the gap persists despite greater gains by women than men. We believe this was partly because we used the median instead of the mean in 2019 — a practice we have discontinued for this study because the mean is deemed more reliable. In other words, women's salaries continue to be behind, despite greater gains in the last three years.

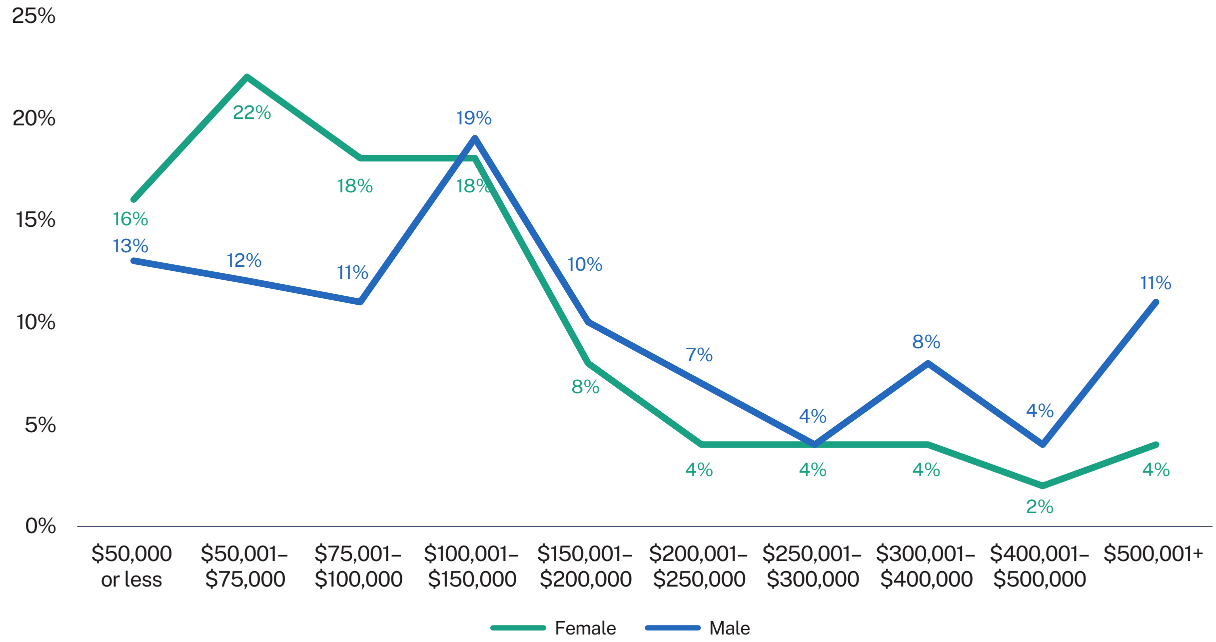
Exhibit 30: Change in Personal Income Since 2018 by Gender

Female		Male	
2018	2021	2018	2021
$118,210	$137,958	$187,226	$194,335
Change since 2018: **$19,748**		Change since 2018: **$7,109**	

Exhibit 31: Income by Gender — Percentage of Respondents

	Female	Male
$50,000 or less	16%	13%
$50,001 - $75,000	22%	12%
$75,001–$100,000	18%	11%
$100,001–$150,000	18%	19%
$150,001–$200,000	8%	10%
$200,001–$250,000	4%	7%
$250,001–$300,000	4%	4%
$300,001–$400,000	4%	8%
$400,001–$500,000	2%	4%
$500,001+	4%	11%
Mean	$137,958	$194,335
N	765	331

Exhibit 32: Personal Income Distribution by Gender



Because we expanded our request for additional demographics for respondents, we are able to analyze data by ethnicity for the first time. The results are interesting, although given the low number of responses for some ethnicities, the data most likely are not as accurate as categories with a higher number of responses. (See Methodology in the Appendix for further explanation.)

Exhibit 33: Annual Income by Ethnicity

Ethnicity	Mean annual income	N
African descent /American and non-American	$127,288	46*
Asian	$152,926	96
Caucasian	$155,936	568
Chicano/Hispanic/Latino	$133,303	278
European	$166,537	165
Indian subcontinent/ Middle Eastern	$188,026	59

**Small sample size*

Staff Salaries

Staff salaries are a significant expense for firms, and setting the right salaries in your firm can help with hiring and retaining good talent. As the exhibits below show, salaries vary based on many factors, including practice size, primary type of immigration practiced, experience levels, and even gender. Readers are advised to compare their practice characteristics to the data below when reviewing compensation levels within their firm. Note, mean salaries are the midpoint in the market data, so deviations from the center are possible.

Exhibit 34: Salary Levels by Position and Years of Experience

	Associates		Paralegals		Legal assistants/secretaries	
	2021 mean	2018 mean	2021 mean	2018 mean	2021 mean	2018 mean
No experience	$67,433	56,984	$39,327	31,545	$31,218	25,371
1–5 years	$85,819	66,111	$47,295	38,516	$37,578	29,505
6–10 years	$107,639	83,899	$57,676	47,493	$45,870	35,663
11+ years	$126,284	104,039	$67,494	64,426	$52,888	45,963

+20% Staff salaries have increased at most experience levels.

Staff salaries have increased approximately 20% since the last study at most experience levels.

Staff Salaries by Practice Size and Experience Levels

Practice size makes a difference in salaries, according to **Exhibit 35**. It is interesting, though not surprising, that there is a sizable salary difference between legal assistants in solo practices and those in large firms of more than 100 lawyers. What is surprising is the consistency of staff salaries for firms in between. Whether firms have five lawyers or 50, they are paying about the same salaries for legal assistants across all experience levels.

That pattern continues for paralegals, too (**Exhibit 36**). It appears even solos are having to keep pace with salaries paid by all but the biggest firms. Also, the salary progression from no experience to 11+ years of experience keeps pace across firm sizes, except for the largest firms.

The pattern changes a bit for associates (**Exhibit 37**). While associates at big firms are the highest compensated, associates in solo firms lag noticeably behind others in income, especially with 11+ years of experience.

Exhibit 35: Mean Salaries by Experience and Practice Size — Legal Assistants

	Size of practice					
Years of experience	1	2–5	6–20	21–50	51–100	101+
No experience	$25,944	$30,421	$32,614	$36,613	$36,818	$41,875
1–5 years	$34,635	$35,347	$38,034	$43,333	$39,545	$50,255
6–10 years	$40,324	$43,693	$45,135	$50,333	$46,818	$59,250
11+ years	$47,852	$50,548	$50,000	$58,448	$48,000	$67,083
N	135	190	88	31*	11*	50*

**Small sample size*

Exhibit 36: Mean Salaries by Experience and Practice Size — Paralegals

Years of experience	Size of practice					
	1	2–5	6–20	21–50	51–100	101+
No experience	$35,037	$37,962	$41,386	$41,613	$42,813	$48,426
1–5 years	$42,554	$55,094	$60,668	$51,855	$53,750	$73,036
6–10 years	$50,769	$44,813	$50,190	$59,667	$46,875	$61,273
11+ years	$61,586	$62,862	$71,211	$68,793	$61,719	$85,000
N	140	214	105	31*	16*	55

Small sample size

Exhibit 37: Mean Salaries by Experience and Practice Size — Associates

Years of experience	Size of practice					
	1	2–5	6–20	21–50	51–100	101+
No experience	$53,438	$50,983	$64,020	$68,468	$86,500	$124,057
1–5 years	$62,500	$69,269	$81,505	$86,613	$98,636	$152,870
6–10 years	$109,000	$87,795	$106,117	$105,333	$114,545	$170,619
11+ years	$75,000	$102,816	$127,951	$133,929	$138,750	$178,457
N	8*	195	108	31*	54	11*

Small sample size

Staff Salaries by Immigration Practice Area

Exhibit 38 continues a trend we see repeated in the study: associates doing asylum/removal work make less than family immigration associates, who make much less than business immigration associates. However, after about six years of experience, asylum associates start to achieve higher salaries than family immigration associates, but never achieve the salary levels of business immigration associates.

$ Salaries for business immigration associates continue to outpace those of family and asylum associates.

Exhibit 38: Associate Salaries by Experience and Practice Area

Mean compensation	Asylum*	Business	Family*
Associates (no experience)	$49,286	$76,685	$57,826
Associates (1–5 years)	$55,000	$91,579	$64,231
Associates (6–10 years)	$81,429	$102,860	$70,000
Associates (11+ years)	$92,308	$109,982	$81,904

Small sample size

Exhibit 39 shows a slightly different income pattern for paralegals. While business immigration paralegals substantially out-earn all others at all experience levels, asylum/removal and family paralegals earn about the same in their respective practice areas.

Exhibit 39: Paralegal Salaries by Experience and Practice Area

Mean compensation	Asylum*	Business	Family*
Paralegals (no experience)	$39,667	$43,056	$36,585
Paralegals (1–5 years)	$43,301	$53,257	$44,000
Paralegals (6–10 years)	$49,783	$68,949	$50,000
Paralegals (11+ years)	$55,435	$78,346	$57,714

Small sample size

Exhibit 40: Associate Legal Assistants/Secretaries by Experience and Practice Area

Mean compensation	Asylum*	Business	Family*
Legal assistants/secretaries (no experience)	$31,667	$34,677	$28,571
Legal assistants/secretaries (1–5 years)	$38,077	$41,724	$34,767
Legal assistants/secretaries (6–10 years)	$43,696	$51,683	$41,071
Legal assistants/secretaries (11+ years)	$49,091	$58,547	$45,300

Small sample size

Lastly, knowing we have a gender gap in lawyer net income, one theory being debated is whether female law firm owners pay their staff more than their male counterparts, causing them to net less income themselves. As we can see from the **Exhibits 41 and 42** below, this difference is minimal until employees reach at least six years of experience. At that point, female respondents pay an average of 8.75% more than male respondents.

Exhibit 41: Paralegal Salaries Paid by Female and Male Respondents

	Mean salary paid		N	
	Female	Male	Female	Male
Paralegals (no experience)	$35,000	$35,133	87	75
Paralegals (1–5 years)	$42,832	$42,500	98	78
Paralegals (6–10 years)	$53,164	$49,643	64	56
Paralegals (11+ years)	$63,235	$60,089	51	56

Exhibit 42: Legal Secretaries/Assistants Salaries Paid by Female and Male Respondents

	Mean salary paid		N	
	Female	Male	Female	Male
Legal assistants/secretaries (no experience)	$25,980	$27,773	102	64
Legal assistants/secretaries (1–5 years)	$34,565	$35,326	92	69
Legal assistants/secretaries (6–10 years)	$42,083	$40,357	48*	49*
Legal assistants/secretaries (11+ years)	$56,012	$45,563	42*	40*

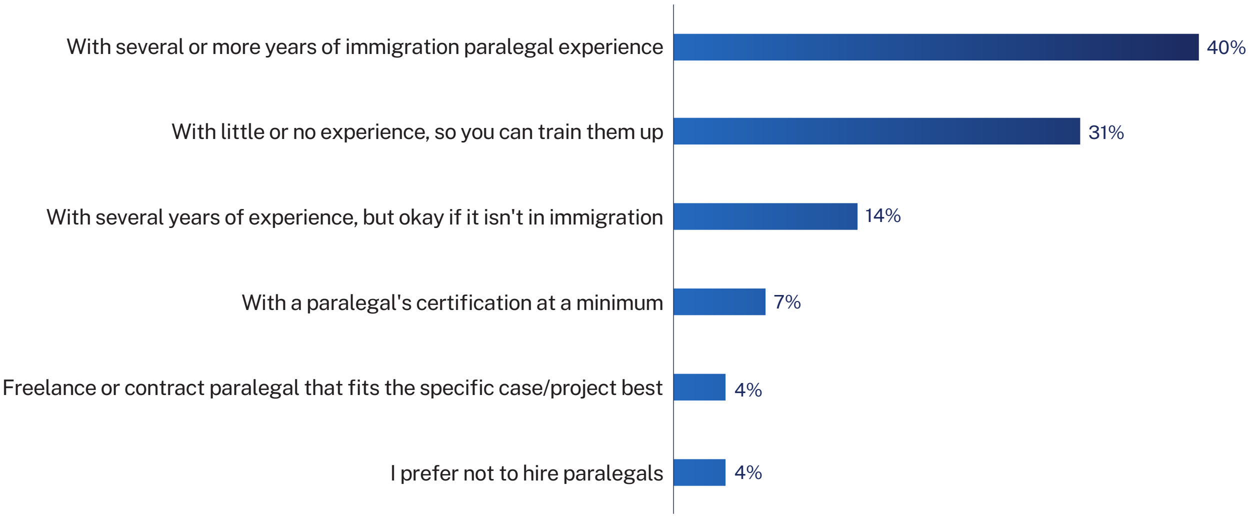
Small sample size

This lends some credibility to the theory that female law firm owners pay their employees more, possibly to their own financial detriment, or to the benefit of the staff retention and the law firm. But it does not explain the extent of the gender gap in income.

Preferences in New Paralegals

For at least the past year, the top management issue facing immigration lawyers is finding and hiring paralegals. It is clear from **Exhibit 43**, respondents prefer to hire experienced paralegals with several years of experience. However, 31% of firms prefer to hire paralegals with little or no experience so they can train them from scratch. Only 7% of respondents prefer someone with a paralegal certificate.

Exhibit 43: Hiring Paralegals Experience Preferences



Staffing Ratios

For a decade, we have asked participants to tell us their numbers of lawyers, staff, and paralegals in-office, and relied on that data to determine ratios of lawyers to staff and lawyers to paralegals. This year, we did the same, but when we saw the data we realized that question no longer works. Because of changing work environments — office, remote, hybrid — our question is no longer a viable way to determine staffing ratios. The data were unreliable this cycle. Instead, here are the staffing ratios from 2019 (**Exhibit 44**).

Exhibit 44: Mean Staffing Ratios to Attorneys for 2019

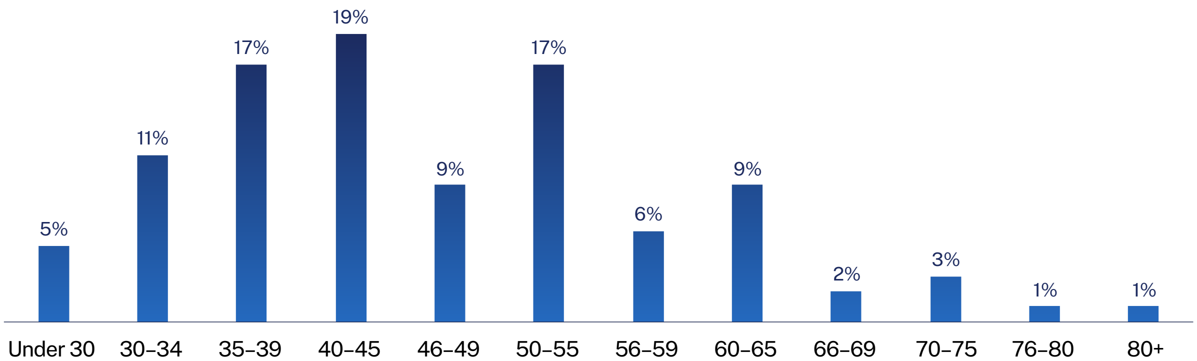
Size of firm	Legal assistants/secretaries	Paralegals
1	1.39	1.59
2	0.9	1.09
3	0.8	0.99
4 to 6	0.7	0.94
7 to 20	0.7	1.2
21+	0.5	0.37
Total (2019)	1.0	1.15
Total (2016)	0.8	0.63
Total (2011)	0.7	0.59

Who Are You?

Immigration lawyers are traditionally more diverse than other lawyers in gender and ethnicity, as you will see in the exhibits below.

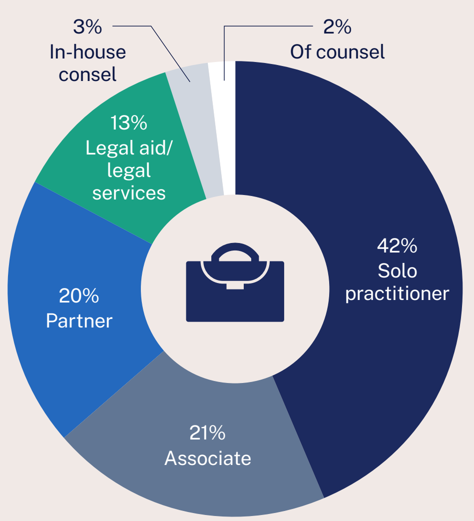
In terms of age, we observed a similar bell curve to previous study cycles. But this year, the bulk of respondents were not in the youngest bracket. In the 2019 study, 31% were under 35 (**Exhibit 45**). It appears that group aged and remained the largest, because 36% are between 35 and 45 in this study. This continues the trend that was identified in the last study of the immigration bar becoming more female, but not the trend of it becoming younger.

Exhibit 45: Respondent Age



The majority of respondents are solo practitioners — as expected, given that most lawyers in the United States are solo practitioners — although fewer solos participated in this study than in 2019. **Exhibit 46** shows there are almost equal percentages of associates (21%) and partners (20%). There was a large turnout for legal aid lawyers (13%, up 8 points from the 2019 study).

Exhibit 46: Legal Classification/Occupation



How Do You Identify?

The percent of female and male respondents in different position categories are as follows. In total, 1,761 immigration lawyers responded to the survey, 65% of which identified as female, 23% identified as male, and 6% indicated other identities, which include those who identified as queer, nonbinary, bigender, genderfluid, transgender, prefer to self-describe, other (please specify), and prefer not to say. Because of small sample sizes for some of these identifiers, we were unable to separate these categories as we would like to, but we included them here so readers are made aware that not all immigration lawyers identify as male or female.

Exhibit 47: Ranked % Distribution of Identity by Practice Category in 2022

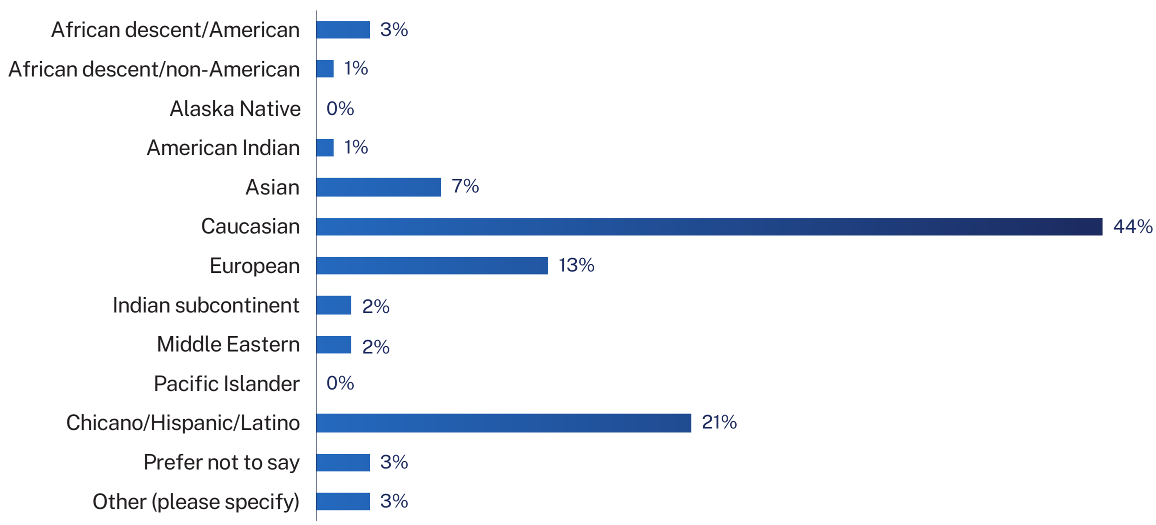
	Female	Male	Other identities	N
In-house counsel, nonprofit	94%	0%	6%	16*
Of counsel	83%	11%	6%	18*
Associate w/ 6–20 partners/shareholders	82%	18%	0%	17*
Associate w/2–5 partners/shareholders	78%	15%	6%	86
Counsel w/legal aid/legal services	78%	13%	9%	158
Associate in firm with 21+ partners/shareholders	76%	16%	8%	25*
Partner in firm with 21+ partners/shareholders	68%	32%	0%	34*
Associate w/ 1 owner/shareholder	67%	28%	5%	85
Total	65%	29%	6%	1,196
In-house counsel, for-profit	64%	36%	0%	11*
Solo, remote only	63%	31%	6%	101
Partner w/ 2–5 partners/shareholders	62%	32%	3%	202
Solo, hybrid (some in-office, some remote)	58%	33%	8%	298
Solo, in-office only	52%	44%	4%	122
Solo, have associates	47%	44%	9%	86
Partner w/ 6–20 partners/shareholders	35%	65%	0%	17*

** Small sample size*

Diverse Lawyers

Many ethnicities are also represented in the immigration bar. Less than half the respondents are Caucasian, compared to the national average of lawyers in the United States overall, which was 81% Caucasian in 2022.[1] The next highest represented ethnicities are Chicano, Hispanic, or Latino at 21%; European at 13%; and Asian at 7%. But as you can see from **Exhibit 48**, there were many other well-represented ethnicities. Other written-in options included Ashkenazi-Jewish, Haitian American, Caribbean, Caribbean American, Chileno, Filipino, Jewish, and Multiracial.

Exhibit 48: Ethnicity of Respondents



1. From the ABA Profile of the Legal Profession 2022, under Demographics, Lawyers by Race and Ethnicity at https://www.abalegalprofile.com/demographics.php#anchor4.

What Type of Work Do You Do?

The AILA Marketplace Study is a triannual study in its fourth cycle. We consistently have more solo practitioners respond than anyone else, which makes perfect sense — nationally, more lawyers are in solo practice than in any other setting. This year, as shown in **Exhibit 49**, there was a nine-point drop in solo practitioner respondents though, with the bulk of that being made up in associate responses (+5% from the last study) and legal aid/legal service lawyer respondents (+8%).

Exhibit 49: Legal Classification/Occupation 2011–2022

	2011	2016	2019	2022
Solo practitioners	54%	49%	53%	42%
Associates	17%	19%	16%	21%
Partners/of counsel	23%	19%	23%	22%
In-house counsel	1.80%	4.50%	2.40%	3%
Legal aid/legal services	4.20%	7.50%	5.30%	13%

Another unique trait of immigration lawyers is that there are more women practicing in this practice area than in the general lawyer population. Women make up 38% of lawyers in the U.S.[2] AILA membership is estimated to be about 61% female, 37% male, and 2% other categories. For survey respondents, the breakdown is 65% female, 29% male, and 6% other categories. The 2022 survey was answered by fewer men than the likely percentage in immigration practice.

Of the associates who responded, 72% of them work in a firm with five or less partners or shareholders. Not surprisingly, of the partner respondents, 73% of them also work in an office with five or less partners/shareholders.[3]

Whom Do You Work With?

Most respondents (67%) work for a law firm with one office. Nearly one-fourth work in a firm with up to five locations (**Exhibit 50**). Only 10% work in firms with six or more law offices. One office doesn't always mean one lawyer, though other studies indicate most lawyers in the United States are solo practitioners.

Contract Employee Use in Immigration Firms

Over the years, the use of outsourced support has decreased for most categories except offshore paralegals and attorneys (**Exhibit 51**). The use of offshore paralegals has tripled in the last decade. It is surprising to see these declines when so many law firms are understaffed.

Currently, 72% of respondents do not outsource any work. However, 21% of respondents say they outsource up to 10% of their work to independent contractors or freelancers. Another 5% of respondents outsource at least 11% to 25% of their work to these freelance workers. The chart from **Exhibit 52** shows that work is outsourced primarily to domestic attorneys and domestic paralegals. However, the use of offshore paralegals has increased from 6% in 2019 to 9% this year. The use of domestic attorneys dropped slightly, as did the use of domestic paralegals when compared to 2019.

2. From the ABA Profile of the Legal Profession 2022, under Demographics, Lawyers by Gender at https://www.abalegalprofile.com/demographics.php#anchor3.

3. An AILA membership survey from 2018 found 68% of AILA members practice in firms of five or less lawyers, so this appears relatively consistent and encourages us to view it as a healthy cross-section of immigration lawyers.

AILA Doc. No. 22050251. (Posted 11/7/22)

Exhibit 50: Number of Office Locations in Firm

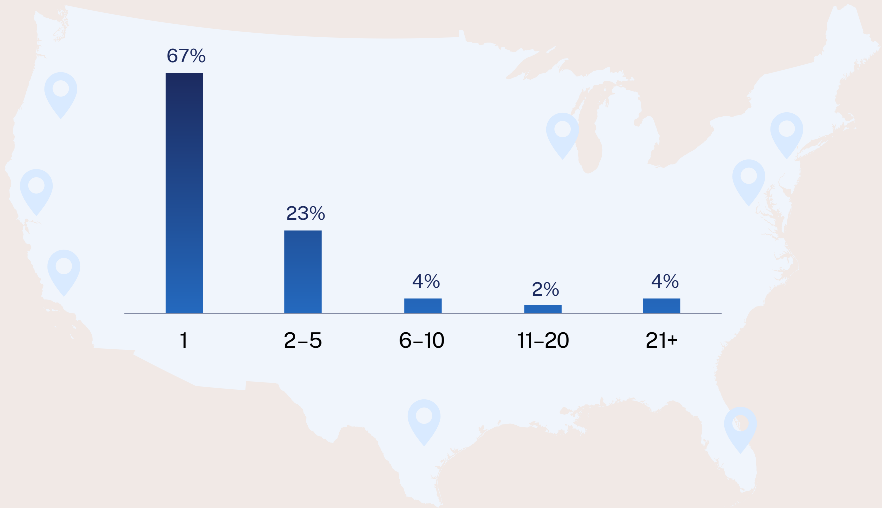


Exhibit 51: Contract Employee Use in Immigration Firms

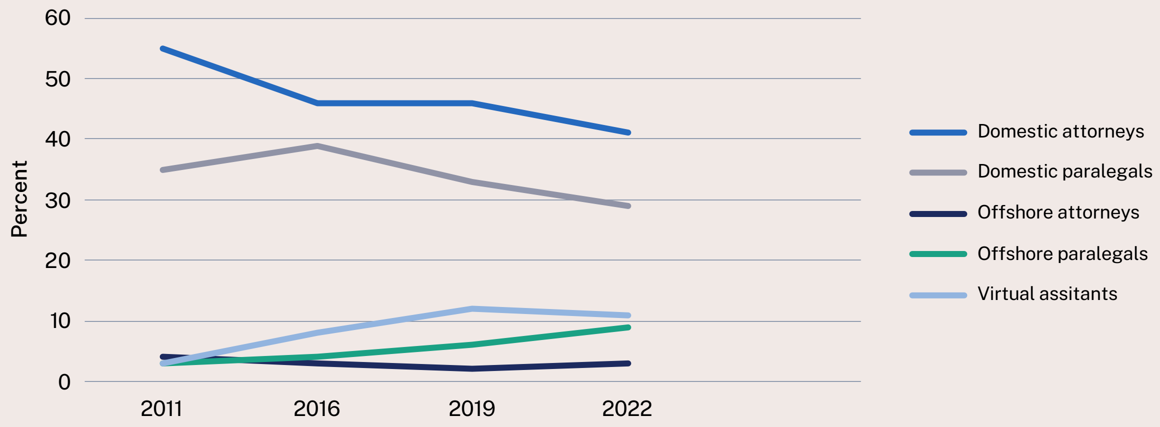
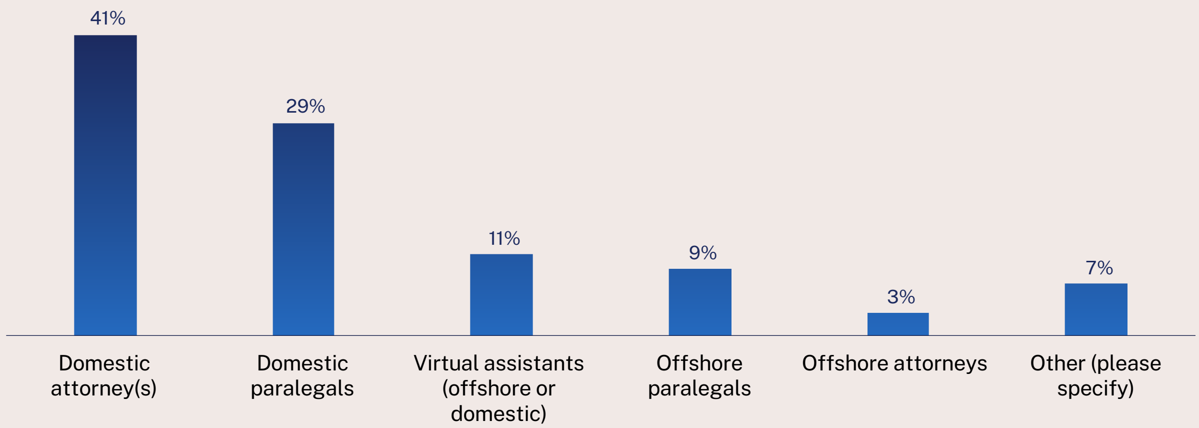


Exhibit 52: Work Outsourced to Whom



How Do You Feel about Work?

Understanding job satisfaction and workload is an important measure as compared to income and many other factors. For the past decade, most immigration lawyers have felt very busy, if not overwhelmed. They generally have all the work they can handle. In 2022, 55% of respondents said they have all the work they can handle (**Exhibit 53**). Those lawyers who feel they have insufficient work to keep themselves busy has dropped to 12% this year, from 15% in 2019 (**Exhibit 54**). The percentage of respondents who feel they have more work than they can handle declined to 32% (still nearly a third of respondents). This confirms the anecdotal refrain from many immigration lawyers that they are “swamped” with work.

Exhibit 53: Quantity of Personal Workload

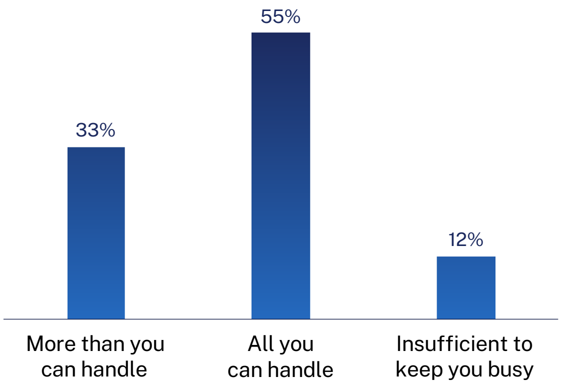
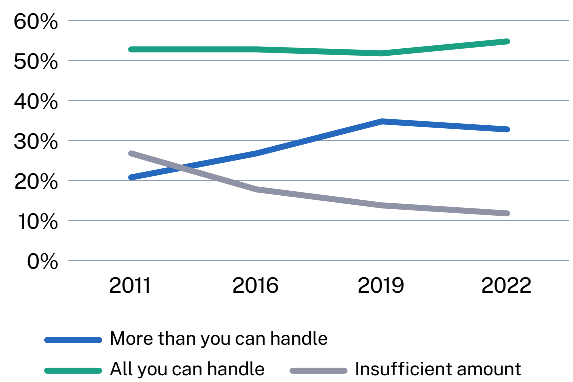
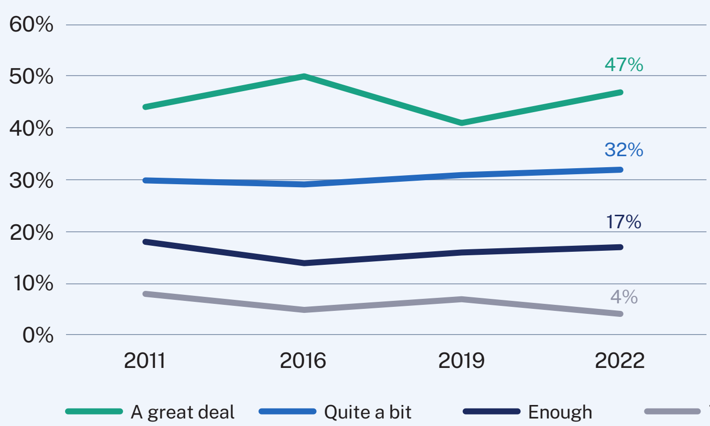


Exhibit 54: Quantity of Workload over Years



Respondents continue to find satisfaction in the practice of immigration law. Satisfaction levels have risen slightly since 2019, and those respondents getting too little satisfaction have decreased to an all-time low of 4% (**Exhibit 55**).

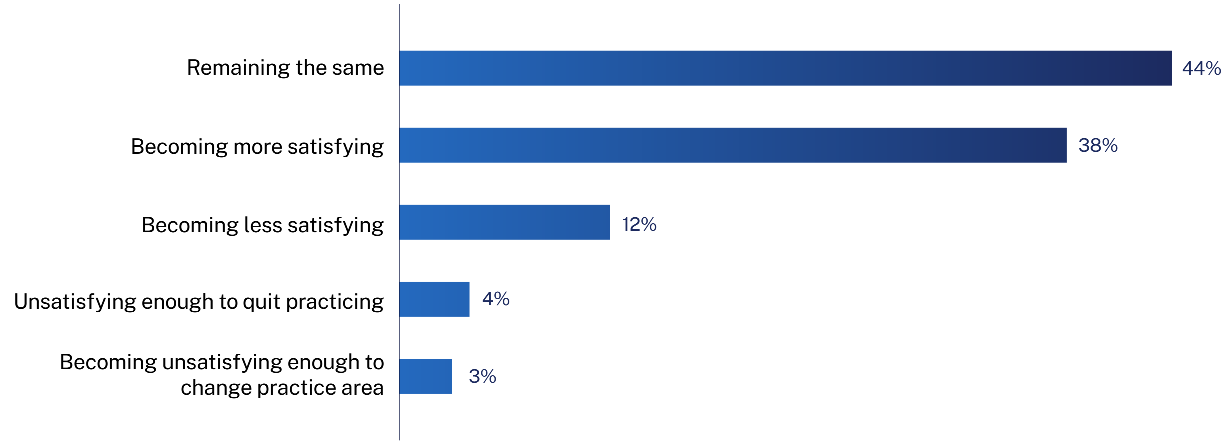
Exhibit 55: Satisfaction from Immigration Law



Overall satisfaction is high, with 79% reporting quite a bit of satisfaction or more from their work. Respondents with too little satisfaction hit an all-time low of 4%.

Respondents are also optimistic about their futures. Overall, 79% of respondents get quite a bit of satisfaction from their work or more, up 7 points overall from 2019. Looking to the future, 82% believe their satisfaction will stay the same or increase in the future (**Exhibit 56**).

Exhibit 56: Future of My Immigration Practice



Economically, immigration lawyers have a similarly positive outlook. Forty-four percent believe their economic situation will be about the same next year, and 42% believe it will improve (**Exhibit 57**). Only 4% believe it will be worse.

It is possible most of them are basing their optimism about finances on past and current years. Forty-one percent say their economic circumstances have improved compared to prior years and 37% say they are the same; however, 13% say they are doing worse economically (**Exhibit 58**). (Look for clues as to why in the study's income section.)

Exhibit 57: View of Next Year's Economic Circumstances

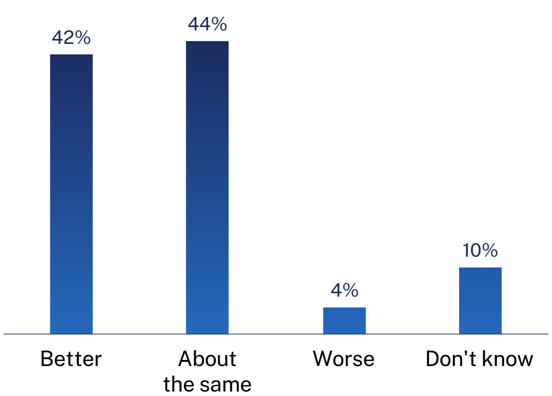
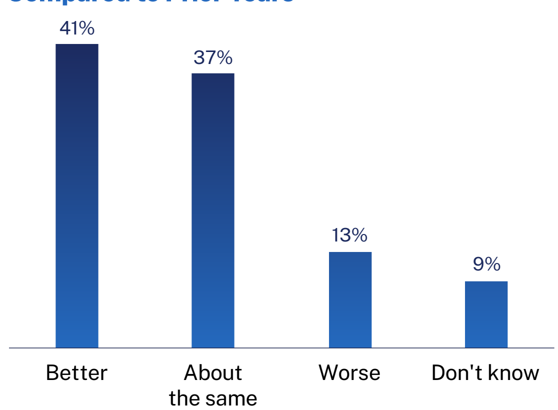


Exhibit 58: Current Economic Circumstances Compared to Prior Years



Stress in the Workplace

Workplace stress has a negative impact on overall satisfaction. The top stressor for respondents was, again, dealing with difficult government agencies, but the severity of that stressor dropped compared to prior years. While 89% of respondents find government agencies difficult to deal with, more of them find them only somewhat stressful (40%) in 2022 (**Exhibit 59**).

Difficult government agencies continue to be the top stressor for respondents, but the severity has dropped.

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It is noteworthy that after government agencies, four of the five greatest stressors are practice management issues: time and effort managing workload, finding/retaining talent, dealing with difficult clients, and keeping fully staffed.

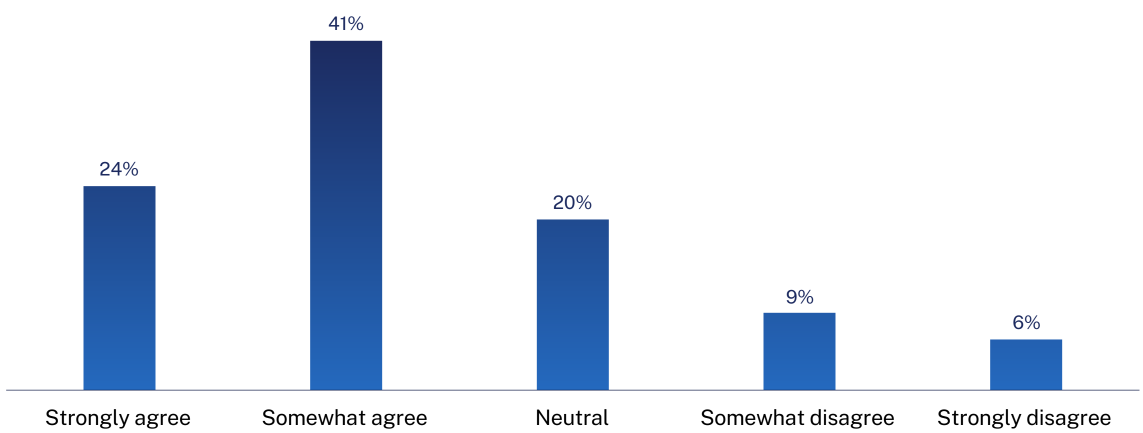
Other stressors were more personal in nature. More than two-thirds of respondents find student loan debt stressful (38% stress about it very much). Interestingly, only 10% stress very much about competition, which makes sense when most lawyers have all the work they can handle or more.

Exhibit 59: Stress Producers

	Very much	Somewhat	Very little
Dealing with government agencies	49%	40%	11%
Time and effort managing workload	40%	45%	15%
Student loan debt	38%	33%	29%
Finding/retaining talent	34%	42%	24%
Dealing with difficult clients	28%	46%	26%
Keeping fully staffed	28%	44%	28%
Cost of health insurance	25%	32%	44%
Time and effort managing employees	25%	44%	32%
Insufficient current income	24%	39%	37%
Insufficient retirement benefits	23%	34%	43%
Insufficient health insurance benefits	17%	27%	55%
Competition in the market	10%	32%	59%

The majority of respondents believe stress can affect their performance, a trend spotted in the 2019 study that has stayed steady this year. A full quarter of respondents strongly believe stress impacts their performance such that the organized bar should be creating resources to help those lawyers deal with the stress (**Exhibit 60**).

Exhibit 60: Work-Related Stress Affects Job Performance



Mash Up: The Intersection of Satisfaction, Workload, and Stressors

Most immigration lawyers have enough work or more than enough. When that is broken down by practice area, as in **Exhibit 61**, family immigration lawyers are most likely to have insufficient work (22%). Business immigration lawyers are most likely to have more work than they can handle (40%).

Exhibit 61: Workload Manageability by Practice Area

Workload manageability	Asylum	Business	Family
More than I can handle	38%	40%	19%
All that I can handle	55%	51%	59%
Insufficient to stay busy	7%	9%	22%

Notably, having more than enough work or insufficient work does not directly correlate to satisfaction levels. Each practice area has some individuals who find too little satisfaction in their work, but most immigration lawyers express a great deal or quite a bit of satisfaction (**Exhibit 62**).

Exhibit 62: Satisfaction from the Practice of Immigration Law by Practice Area

Satisfaction level	Asylum	Business	Family
Great deal	42%	42%	50%
Quite a bit	33%	33%	28%
Enough	23%	19%	16%
Too little	3%	6%	5%

When the same statistics for workload manageability are broken down by gender, a more complicated story emerges. We see that women are 9% more likely than men to have more work than they can handle, while men are 10% more likely than their female counterpoints to have all they can handle (**Exhibit 63**). It is not clear from the data why so many more women than men report having more work than they can handle. It could be, in fact, that they are busier and have more demands on their time both inside and outside of work. It could also be that women are more comfortable and adept at identifying feelings than men. We thought this data explained why women are at the forefront of the well-being in law movement: because they need it.

Exhibit 63: Workload Manageability by Gender

	Female	Male
More than you can handle	37%	28%
All you can handle	51%	61%
Insufficient to keep you busy	11%	11%

In a breakdown of satisfaction by gender, more women than their male counterparts report a great deal of satisfaction, though more than 75% of both genders report quite a bit of satisfaction or more (**Exhibit 64**).

Exhibit 64: Satisfaction from the Practice of Immigration Law by Gender

	Female	Male
A great deal	50%	44%
Quite a bit	30%	32%
Enough	15%	20%
Too little	5%	4%

Female Immigration Lawyers and Stress

The stressors questions also revealed the different experiences of stress across gender lines. Both genders clearly experience stress, and they generally agree on what their biggest stressors are. But on average, women reported those things caused stress 8% more often (**Exhibit 65**). Women were also 15% more likely to list other stressors than their male colleagues were.

Exhibit 65: Greatest Stressors by Gender

Creates stress — "very much"	Females	Males
Dealing with government agencies (professionalism, consistency, poor training)	53%	41%
Time and effort managing workload	42%	35%
Student loan debt	41%	32%
Finding/retaining talent	36%	30%
Dealing with difficult clients	30%	24%
Keeping fully staffed	30%	23%
Time and effort managing employees	29%	21%
Insufficient current income	27%	20%
Insufficient retirement benefits	25%	16%
Cost of health insurance	25%	23%
Insufficient health insurance benefits	17%	14%
Competition in the market	11%	5%
Other (Please specify)	82%	67%

While both genders clearly experience stress, female respondents reported more on their big stressors as well as other stress factors.

Firm Size Matters

Now, let us examine how firm size impacts the same questions of satisfaction and work manageability. Large firms are generally believed to have very heavy workloads, and the data seem to bear this out. Almost half of respondents from firms with 51+ lawyers had more work than they can handle (**Exhibit 66**). Only one-quarter of solo practitioners cited more work than they can handle, indicating that when a lawyer has greater control of their workload, they can still end up with too much work at times, but they are less likely to do so. Note that nearly one-quarter of solo practitioners say they have insufficient work to keep them busy though. This could be a nod to the inconsistent flow of business in solo practice or indicate solo practitioners need to ramp up their marketing.

Exhibit 66: Workload Manageability by Firm Size

Size of practice	1	2–5	6–20	21–50	51–100	101+
More than you can handle	25%	36%	39%	41%	45%	45%
All you can handle	51%	57%	56%	58%	55%	54%
Insufficient to keep you busy	23%	8%	5%	1%	0%	1%

Again, we find little correlation between having too much work and dissatisfaction. The largest segment of those getting too little satisfaction — 10% of respondents — are in firms with 21 to 50 lawyers (**Exhibit 67**).

Exhibit 67: Satisfaction from the Practice of Immigration Law by Firm Size

Size of practice	1	2–5	6–20	21–50	51–100	101+
A great deal	44%	48%	48%	45%	58%	52%
Quite a bit	29%	34%	34%	38%	24%	29%
Enough	20%	15%	15%	7%	18%	17%
Too little	7%	2%	3%	10%	0%	3%
N	583	530	248	73	33*	112

**Small sample size*

Interestingly, the number of years a person is in practice does not impact their overall satisfaction — no golden years, as it were. Whether in their first year or their last years, more than 94% of respondents report getting enough satisfaction or more from immigration practice in 2022.

Satisfaction by Ethnicity

There does not appear to be wide differences in satisfaction levels among different ethnicities. In **Exhibit 68**, one may note that those of African descent are most likely to say they find a great deal of satisfaction and most likely to say they find too little satisfaction, as compared to other ethnicities. Those who identified as Asian were the least likely to respond they found too little satisfaction, but also the least likely to respond they found a great deal of satisfaction in immigration practice. There are some combined ethnicities here that are done solely because sample size for some groups was too small to report and maintain privacy without combining them. Chicano/Hispanic/Latino also report a great deal of satisfaction (56%).

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Exhibit 68: Satisfaction from the Practice of Immigration Law by Ethnicity

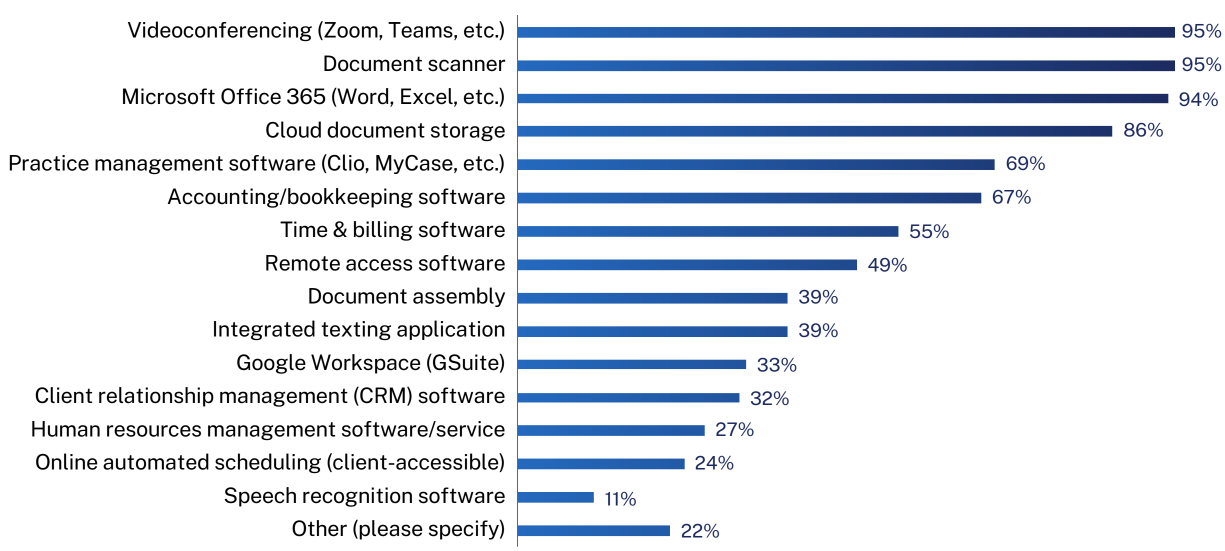
	African descent/ American/ non-American	Asian	Caucasian	Chicano/ Hispanic/Latino	European	Indian subcontinent/ Middle Eastern
A great deal	56%	35%	46%	56%	46%	49%
Quite a bit	20%	33%	33%	27%	31%	29%
Enough	15%	29%	17%	14%	16%	15%
Too little	9%	2%	5%	3%	7%	7%

What Technology Do You Use?

Immigration lawyers' adoption of remote technologies skyrocketed since 2019, due largely to the pandemic. Probably the most striking change, shown in **Exhibit 69**, has been the widespread adoption of videoconferencing, which jumped 31 points (to 95%), followed by the adoption of Microsoft Office 365, which increased 25 points (to 94%). Document cloud storage already enjoyed fairly wide adoption in the 2019 study (79%) and increased to 86% in this year's study. In fact, the technologies that showed declined adoption only saw minimal decreases (voice recognition software went down 1%, document scanners went down 1%, and accounting/bookkeeping software went down 3%), indicating that the use of technology overall is up.

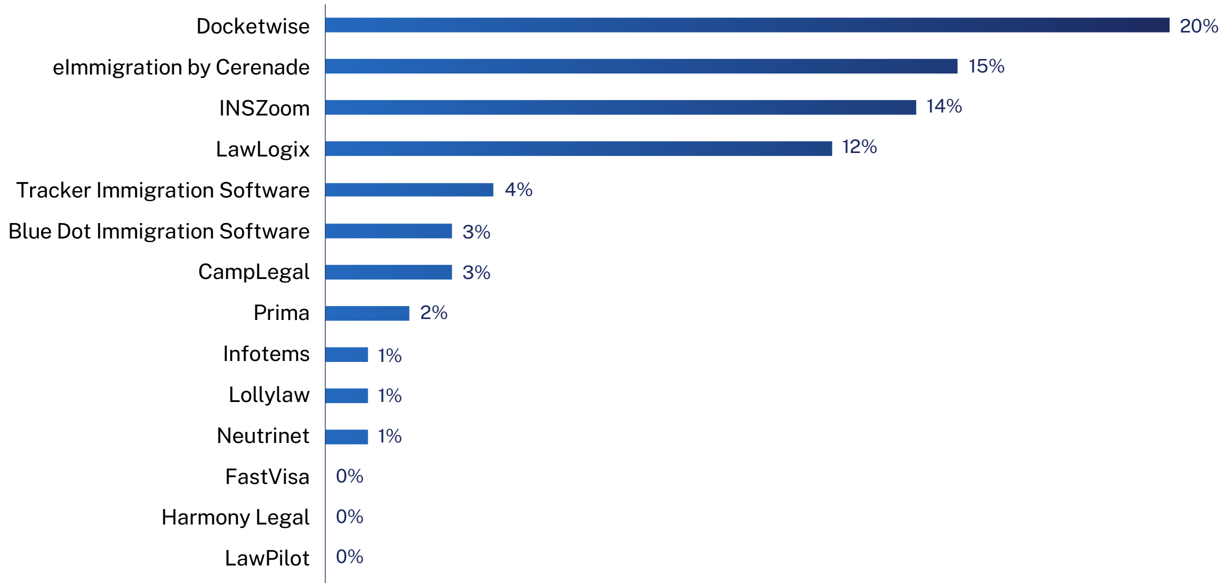
Adoption of remote technologies skyrocketed — with videoconferencing and use of Microsoft Office 365 jumping 31 points and 25 points, respectively.

Exhibit 69: Law Office Technologies Currently in Use



We also surveyed respondents' use of immigration-specific case management software, this year expanding the list to include new products. The top three products in 2019 were eImmigration by Cerenade, INSZoom, and LawLogix. This year, Docketwise jumped 14 points in market share, to take the lead, followed by eImmigration and INSZoom (**Exhibit 70**).

Exhibit 70: Immigration Case Management Software Currently Using



There has been some realignment in which software immigration lawyers are using, with Docketwise showing the greatest increase in respondents' use since 2019 (**Exhibit 71**). Simultaneously, there has been an influx of venture capital into immigration legal technology, with five of these products being acquired by bigger entities in the last few years. Hopefully, this trend will lead to more robust, modernized products with better support.

Exhibit 71: Immigration Case Management Software Technology Use Spectrum

	Currently using	Once used but dropped	Never used
Docketwise	20%	6%	74%
eImmigration by Cerenade	15%	12%	73%
INSZoom	14%	16%	71%
LawLogix	12%	14%	74%
Tracker Immigration Software	4%	8%	88%
Blue Dot Immigration Software	3%	2%	95%
CampLegal	3%	1%	96%
Prima	2%	3%	95%
Infotems	1%	1%	99%
Lollylaw	1%	2%	97%
Neutrinet	1%	0%	98%
FastVisa	0%	1%	99%
Harmony Legal	0%	0%	100%
LawPilot	0%	0%	100%
Other (please specify)	26%	7%	67%

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Marketing Immigration Legal Services

Immigration lawyers use a wide range of marketing vehicles to get their message out to prospective clients, but the trend of reduced engagement in marketing found in 2019 has continued — maybe even accelerated.

Most marketing methods declined in use since 2019, most likely due to cost-cutting measures in response to the pandemic.

Since our last study, respondents reported an increased use only in the following marketing methods, shown on **Exhibit 72**: digital client newsletters (2+ points), client survey (5+ points), and client entertainment (7+ points). Every other marketing method declined in use, most likely due to cost-cutting measures to address pandemic disruptions. The greatest drop was seen in networking with other lawyers (14 points down), most likely due to a dearth of in-person events during this period.

Exhibit 72: Marketing Services Used in 2022

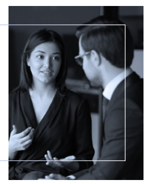
	Currently use	Previously used, but not any longer	Never used
Law firm website	83%	3%	14%
Personal networking among other lawyers	69%	11%	19%
Social media presence	63%	7%	30%
Personal networking among trade/industry groups	51%	12%	37%
Community involvement/community centers/ community organizations	49%	17%	33%
Online professional directories	38%	11%	51%
Private social media groups	30%	6%	63%
Free webinars	25%	11%	64%
Blog/vlog	24%	11%	65%
Email client newsletters	21%	13%	66%
Free in-person seminars	20%	22%	59%
Livestream social media events	17%	7%	75%
Diverse/minority bar associations	17%	9%	74%
Client surveys	16%	10%	74%
Google ads	15%	16%	69%
Buy social media platform ads	14%	14%	73%
Ethnic press (newspapers, social media, radio, TV)	14%	17%	69%
Client entertainment	12%	9%	79%
Newspaper/periodical articles	12%	18%	70%
Website chatbot	10%	4%	86%
Magazine/newspaper ads	8%	17%	76%
Radio/TV ads	6%	12%	82%
Minority counsel programs	6%	5%	89%

Busy lawyers often want to know what are the essential marketing methods they should use. This year, we asked survey respondents to select their top five. At the top of the 2022 list are firm websites, personal networking with other lawyers, cultivating a social media presence, community involvement, and personal networking with trade or industry groups (Exhibit 74). It would be a fair statement to say these are the core — or most reliable — methods immigration lawyers use to market their legal services (**Exhibit 73**).

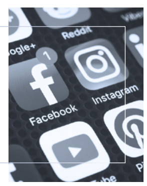
Exhibit 73: Top Five Marketing Methods Used in 2022

19%
Law firm website

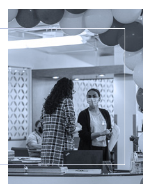
14%
Personal networking among other lawyers



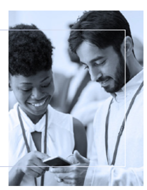
13%
Social media presence



10%
Community involvement/ community centers/orgs.



8%
Personal networking among trade/industry groups



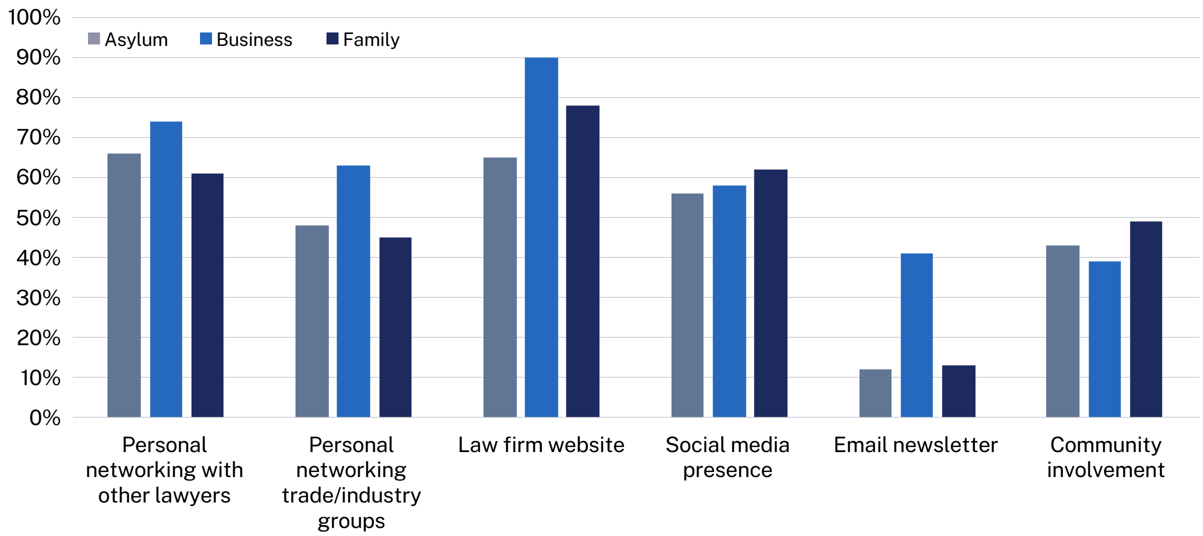
Law firm website	19%
Personal networking among other lawyers	14%
Social media presence	13%
Community involvement/community centers/community organizations	10%
Personal networking among trade/industry groups	8%
Online professional directories	5%
Free webinars	4%
Email client newsletters	3%
Private social media groups	3%
Blog/vlog	3%
Google ads	3%
Free in-person seminars	3%
Livestream social media events	2%
Buy social media platform ads	2%
Ethnic press (newspapers, social media, radio, TV)	2%
Client surveys	2%
Diverse/minority bar associations	1%
Client entertainment	1%
Radio/TV ads	1%
Newspaper/periodical articles	1%
Website chatbot	1%
Magazine/newspaper ads	1%
Minority counsel programs	0%

But notice that nearly all marketing methods were given some percentage, which means that hundreds of immigration lawyers count these among their top five methods as well. When the marketing game is about *distinguishing yourself* from the competition, it may be worth the risk to separate from the pack by using an innovative, new marketing method that few have adopted.

Type of Marketing Broken Down by Practice Area

Respondents' top five marketing methods don't change much over the different practice areas, but there are nuances to who does what most. Email marketing is in the top five for business practitioners, but not for asylum and removal practitioners (**Exhibit 74**). Community involvement and organizations take that place for family and removal lawyers. All three groups have websites in the top five, but a whopping 90% of business immigration lawyers count their website among their top choices. All three use social media, but family immigration lawyers use it more than the others. Business immigration practitioners are most likely to network in person, both with other lawyers and with trade and industry groups.

Exhibit 74: Top Marketing Methods by Practice Area



When you cross-reference marketing with firm size, it isn't surprising to find that immigration lawyers at large firms are most likely to engage in any marketing. However, the smaller the firm, the more likely it is they rely on their website and social media as part of their top five marketing tools. Larger firms are more likely to rely on networking with trade and industry groups, free webinars, and client entertainment than other firm sizes. These variations can be attributed to differences in client base and budget.

Social Media Marketing

The frequency with which social media is talked about in programming and among colleagues as a method for marketing would cause many to think it has wide adoption. In actuality, just under half (49%) of respondents use social media to generate new or repeat clients.

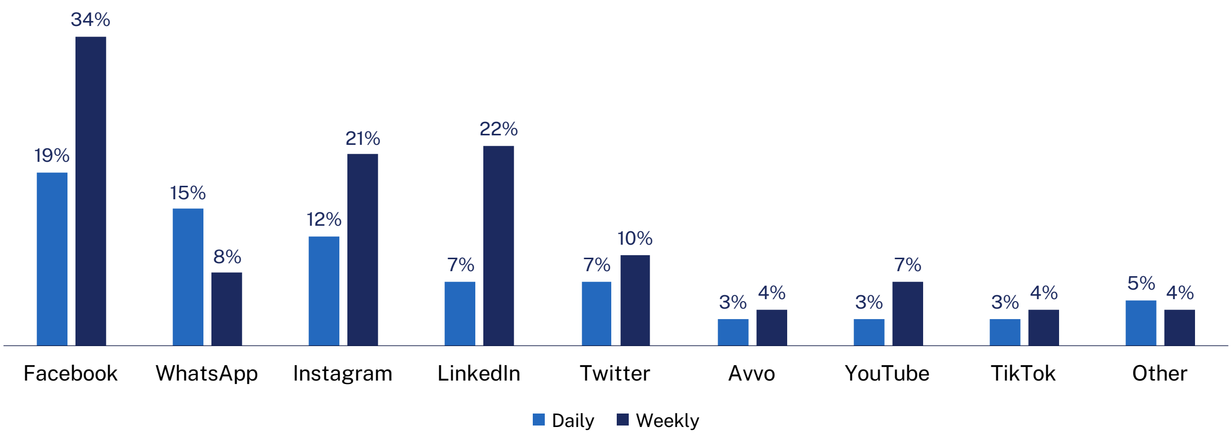
Of immigration lawyers who engage on social media to find clients, most do so monthly or less (**Exhibit 75**). Facebook is the most popular platform, with 19% of respondents posting there daily, 34% posting weekly, and another 34% posting monthly or less. LinkedIn has the highest number of monthly-or-less users (42%), which makes sense because many view it as a job-seeking platform that is often treated as "set it and forget it" social media.

Exhibit 75: Frequency of Social Media Usage

	Daily	Weekly	Monthly or less
Facebook	19%	34%	34%
WhatsApp	15%	8%	13%
Instagram	12%	21%	22%
LinkedIn	7%	22%	42%
Twitter	7%	10%	22%
Avvo	3%	4%	28%
YouTube	3%	7%	22%
TikTok	3%	4%	8%
Other	5%	4%	0%

Of those immigration lawyers who engage on social media to find clients more frequently than monthly, Facebook is the most popular, followed by WhatsApp, Instagram, LinkedIn, then Twitter (**Exhibit 76**).

Exhibit 76: Daily and Weekly Social Media Marketing



Use of Social Media Marketing and Income

Comparing personal income of the social media users vs. those who don't use social media to market, we find that on average, those who use social media marketing make 14% more income than those who do not (**Exhibit 77**). But when we cross-reference it by how often they use social media, there isn't a correlation between rising income and more frequent use. We will continue to ask questions along these lines to try to determine an ideal frequency of social media marketing in the future.

Exhibit 77: Use of Social Media Marketing and Income

	Yes	No
Mean income	$166,603	$142,965
N	585	597

+14% The average income increase of those who use social media marketing vs. not.

Appendix

Study History and Background

AILA has commissioned a study of the economics of immigration law practice of its members since 2011 (Marketplace Study). These studies have been conducted on a 3-year cycle, except 2016, which was a 4-year cycle.

The 2022 Marketplace Study was fielded in May 2022. We continue to observe the confidentiality of survey respondents and follow the recommended anti-trust practices to provide authentic and accurate data within the legal parameters set for market participants when reporting economic data. We asked for current answers on many questions except for income and fee data. We requested full-year attorney income information for 2021 and 2021 fee data to avoid influencing current market rates.

We have asked almost identical questions in the first three studies so as to spot changes and trends over time. Given that a new vendor for the study (Beacon Associates) was selected, we believe this is the time to ask some new questions and retire others. However, most of the questions remain the same or substantially similar, so we can continue to spot trends and share those changes with readers.

Beacon Associates was selected as our new survey provider and data analysts. Federal law prohibits AILA from receiving or seeing any responses or the raw data to prevent any manipulation. Reid Trautz and Charity Anastasio of AILA's Practice & Professionalism Center are responsible for the study, and all those involved have made sure the legal formalities have been followed.

Starting in May 2022, emails requesting survey participation were sent to over 16,000 lawyers, including members of AILA, as well as nonmembers who have engaged with AILA in the past. We received 1,761 valid responses to the online survey. This is slightly more than 10% of those invited to take the survey, providing a sound foundation for our study results.

Based on prior experience, we asked that Beacon analyze eight key measures by segments. Those key areas are:

- » Income
- » Fees
- » Staff salaries
- » Satisfaction and well-being
- » Marketing
- » Virtual practice
- » Technology
- » Client behaviors

The segments measured are:

- » Practice type
  - *Business*
  - *Removal defense/asylum*
  - *Family/naturalization*

» Practice category (solo, associate, partner, in-house counsel, nonprofit, etc.)
» Gender
» Practice size
» Years of practice

Demographics

For the first time, we have used the following labels to categorize respondents for purposes of further analysis: business, removal defense/asylum, and family. Respondents who can identify at least 50% of their income to a practice type were placed into that category. Of the 1,761 respondents, 345 were identified as business, 75 as removal/asylum, and 155 as family. The remaining respondents are not placed in any one category and are assumed to derive income across two or more practice areas.

Respondents came from across the spectrum of ages, with the vast majority being over 30 years of age and under 55 years of age.

A1: Demographic Profile by Age and Practice Area

Age	Asylum	Business	Family
Under 30	8%	5%	7%
30–34	18%	9%	15%
35–39	20%	14%	21%
40–45	24%	17%	15%
46–49	3%	9%	8%
50–55	9%	20%	12%
56–59	5%	9%	6%
60–65	6%	12%	7%
66–69	2%	4%	0%
70–75	2%	1%	6%
76–80	0%	0%	1%
80+	0%	0%	1%

Gender

For the first time, we provided additional demographic options in addition to male and female.

A2: Demographic Profile by Gender Identity and Practice Area

Gender	Asylum	Business	Family
Bigender	0%	0%	0%
Female	65%	68%	66%
Genderfluid	0%	0%	0%
Male	24%	28%	27%
Nonbinary	2%	0%	0%
Queer	0%	1%	1%
Transgender	0%	0%	0%
Prefer to self-describe	0%	0%	0%
Prefer not to say	3%	4%	4%

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However, given the small percentage of responses outside of male and female, we are unable to provide statistically accurate information for these other options.

Ethnicity

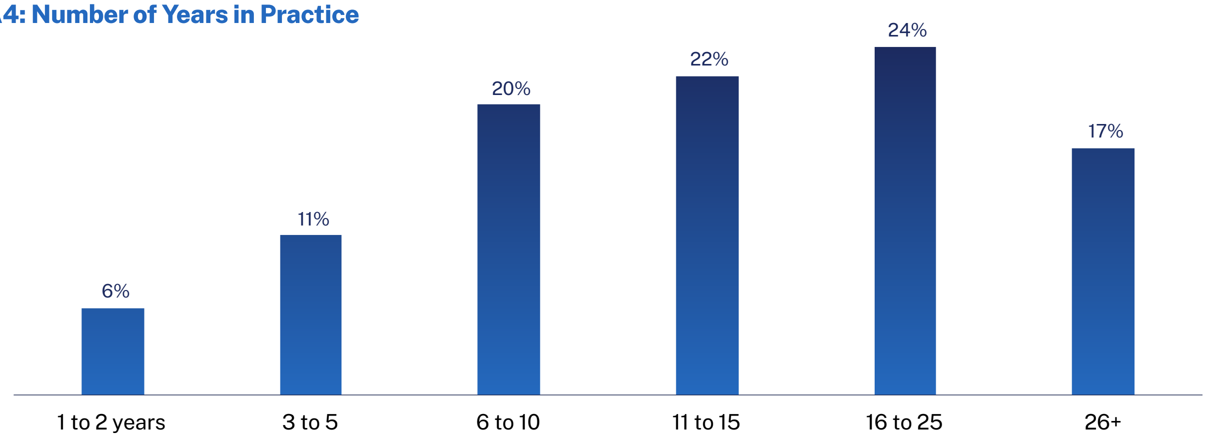
We also expanded our demographic profile to mirror the demographic profile we ask of AILA members:

A3: Demographic Profile by Ethnicity and Practice Area

Ethnicity	Asylum	Business	Family
African descent/American	2%	1%	12%
African descent/non-American	0%	1%	4%
Alaska Native	0%	0%	0%
American Indian	0%	0%	0%
Asian	3%	15%	7%
Caucasian	39%	49%	38%
Chicano/Hispanic/Latino	27%	12%	25%
European	12%	11%	9%
Indian subcontinent	0%	7%	0%
Middle Eastern	0%	1%	2%
Pacific Islander	0%	0%	0%
Prefer not to say	5%	4%	3%

Immigration lawyers from all periods in their career answered the survey, but the bulk are between six and 25 years in practice.

A4: Number of Years in Practice



Chapter

We again asked for respondents to designate their primary chapter. We received at least 30 responses from 17 chapters, a minimum number needed to attempt statistically viable analysis down to a chapter level.

A5: Demographic Profile by Chapter

Chapter	% of total survey respondents	N
Texas	9%	101
Southern California	7%	85
New York	7%	81
Chicago	6%	66
Washington, D.C.	6%	66
Northern California	5%	63
New England	5%	60
South Florida	5%	58
Central Florida	3%	39
Washington State	3%	38
Carolinas	3%	36
Michigan	3%	36
Colorado	3%	35
Mid-South	3%	34
Georgia-Alabama	3%	30
Ohio	3%	30
Oregon	3%	30

Generally, there were not significant differences based on chapter. Given the large amount of data related to other market factors, we have decided to leave out any analysis of geography in the present study.

Definition of Practice Size

We used the following numerical categories based on the number of lawyers employed by respondent's firm or organization:

» 1 (Solo)
» 2 to 5 (Micro firm)
» 6 to 20 (Small firm)
» 21 to 50 (Medium)
» 51 to 100 (Large)
» 100+ (Large/multinational)

Methodology

Surveys are not an exact science, but when properly fielded, the information they yield can provide insights not otherwise available. In our survey, we have taken care to use the most reliable data, point out which data may be less reliable, and avoided using data deemed unreliable. In other words, we only want to use data in which we have confidence. The biggest factor in reliability is the number of responses received. The greater number of responses, the greater confidence we have in the resulting data. When we start to "slice and dice" the responses into smaller segments to find further insights, we avoid using data where we have too few responses. In some areas where the insights are particularly compelling, but the response level is low, we apprise the reader with "*Small sample size." This means our confidence level is a bit lower in that specific number than for some other data, even within the same chart.

We try to achieve a confidence level of 95% when providing these “mean” numbers. The higher the number of responses, the more confident we are of the numbers. Where the responses are fewer than 50, we have less confidence our numbers are exact.

For example, if we look at income by practice type, we get the following confidence intervals:

Topic	N	95% confidence range
Average income	1361	$152,057 ± $6,729 (±4.4%) $145,328 to $158,786

Our confidence level for “Asylum (not nonprofit)” is much lower because of the sample size, yet the insights are compelling enough to provide the data. Readers are advised not to view the data with small sample sizes as exact but in a range of reliability.

Note that the confidence ranges are so wide because the income ranges are so great. In all practice types, there were members who earned as little as $50,000 and as much as $500,000. That fact alone is food for thought.