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State of the Government Legal Department Report 2024

Satisfaction levels improve, even as worries
over staffing and technology persist

Executive summary

Many government legal professionals — district attorneys, public defenders, and county and municipal attorneys — are feeling a fuller confidence in the direction of their agency or department and define their agency as *successful*, even as they acknowledge still-critical challenges around achieving workplace efficiencies and the need for further investment in new technology and trained personnel.

In this new report from the Thomson Reuters Institute, we summarize the findings of our recent *Government Law Agency Survey*, conducted in January 2024 with attorneys in public agencies or departments at the Federal, State, County, and Municipal level. The objective of this and other surveys (including similar ones in 2019 and 2022) is to see how lawyers employed by various government legal organizations and departments define success as well as their views on the most impactful challenges they've identified, addressing their most pressing challenges, staffing and talent pressures, and the use of technology — including advanced technology like generative artificial intelligence (GenAI) — in their workplace.

The vast majority of government lawyers (86%) consider their departments *successful* and cited key metrics such as department reputation, client satisfaction, and work/life balance as the most important measurements of that success.

Interestingly, we found that the vast majority of government lawyers (86%) consider their departments *successful* — a question we had not asked in previous surveys — and cited key metrics such as department reputation, client satisfaction, and work/life balance as the most important measurements of that success. Further, almost three-quarters (73%) said they feel at least somewhat confident that they have the necessary tools and technology to do their jobs effectively.

This generally high level of satisfaction may be because our survey also showed that many factors previously seen as steep challenges or hardships appear to be stabilizing or even improving since our last survey in 2022. For example, staffing shortages and technology budgets — perennial top challenges, even this year — are projected to level out or improve over the next two years, our survey respondents say. Still, when it came to identifying the top challenges that government legal departments are facing now, not surprisingly, talent issues continued to be the dominant concern, as were the ways in which departments can address efficiency in the workplace, and their pace of technology adoption. All of these issues had been cited in past surveys, to varying degrees.

Overall, the report paints a clear picture of the mood among those legal professionals who work in government legal departments, making it clear that how these departments' leaders navigate their teams through these challenges over the next year or so will likely determine how effective and efficient their departments will remain.

Key findings

- **Talent issues** — As in past years, talent-related issues continue to be viewed as top challenges for government legal departments, including attracting and retaining top talent (which 59% consider a major challenge), loss of institutional knowledge due to retiring staff (55%), and recruiting new talent (52%). Interestingly, attorney turnover has dropped as the top issue affecting agencies, and while 77% of respondents report having staffing shortages, fewer (62%) anticipate those shortages to continue over the next 12 months.
- **Efficiency matters** — Two of the top three challenges that departments haven't yet determined how to address all revolve around efficiency issues, as almost two-thirds of respondents said their departments had not yet determined how to address their department's lack of internal efficiency (65%), and the problem of staff spending too much time on administrative tasks (58%). Further, daily workplace issues such as increasing work volume, growing matter complexity and variety, and the frequency of using outside counsel have not changed much compared to previous years.
- **Technology adoption** — Nearly one-half of respondents (45%) said that their department's investment in technology has increased over the past two years, but they still cite budgets (76%), bureaucracy (53%), and too few tech solutions specifically being designed for government use (50%) as the main barriers to higher levels of tech adoption. And in a positive sign, a significant portion of respondents (29%) said that when it comes to GenAI, they are either considering whether to use it in the office, are planning to use it, or are already using it.

Methodology

The data in this report was taken during an online quantitative survey that was conducted between January 9-29, 2024, by Thomson Reuters' Market Research and Competitive Insights team. Target survey respondents were gathered from government law organizations and departments, including public defenders' offices, prosecutors and district attorneys' offices, attorney generals' offices, municipal attorney's offices, and attorney staff at boards and other governing bodies.

There were 150 surveys completed — an 11% increase in responses from the previous survey conducted in late-2022 — that came from 11 Federal, 63 State, 52 County, and 24 Municipal attorneys. Department roles of these respondents included attorney, counsel, prosecutor, public defender, attorney general, and district attorney. All respondents had been in their roles for at least one year.

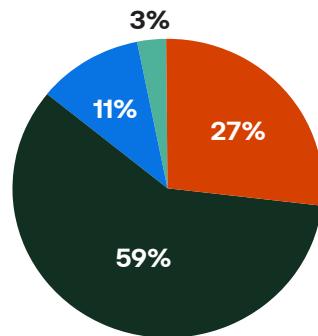
Part 1: How government legal departments see themselves

Measuring success

As mentioned, a large percentage of respondents overall (86%) said their department or agency was successful or very successful, while only 3% described their department as unsuccessful.

FIGURE 1:
Success over the past year

- Very successful
- Successful
- Neither successful nor unsuccessful
- Not successful



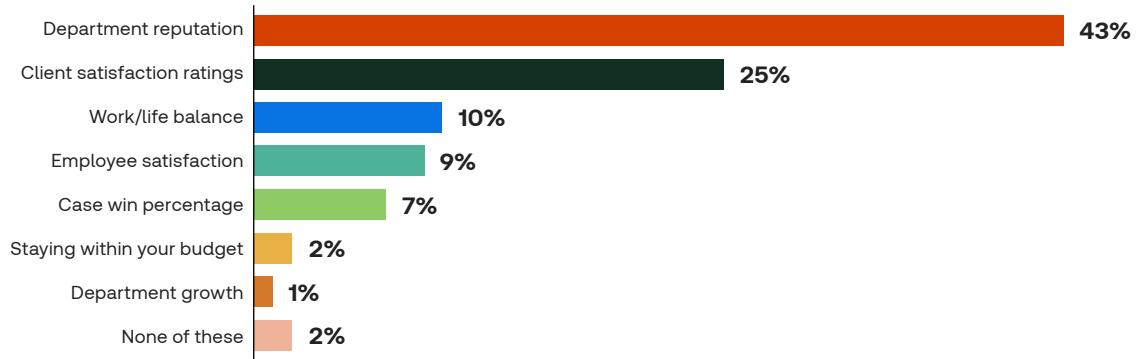
Source: Thomson Reuters 2024

Interestingly, this is roughly the same proportion of respondents from US small law firms (87%) that said they consider their firm successful or very successful,¹ indicating a level of general agreement between the public and private sectors over how they view their organizations' overall effectiveness.

When asked how they *define* that success, most government legal department respondents cited their departments' reputation, the level of employee satisfaction, and the work/life balance they experience as the main reasons. When asked *which* of those definitions of success were most important to them, a large portion (43%) said their departments' reputation, followed by client satisfaction ratings (25%).

¹ See the 2023 State of U.S. Small Law Firms Report; Thomson Reuters Institute, Nov. 21, 2023; available at <https://www.lawyermarketing.com/white-papers/2023-state-of-small-law-firms-report>.

FIGURE 2:
Most important success metric



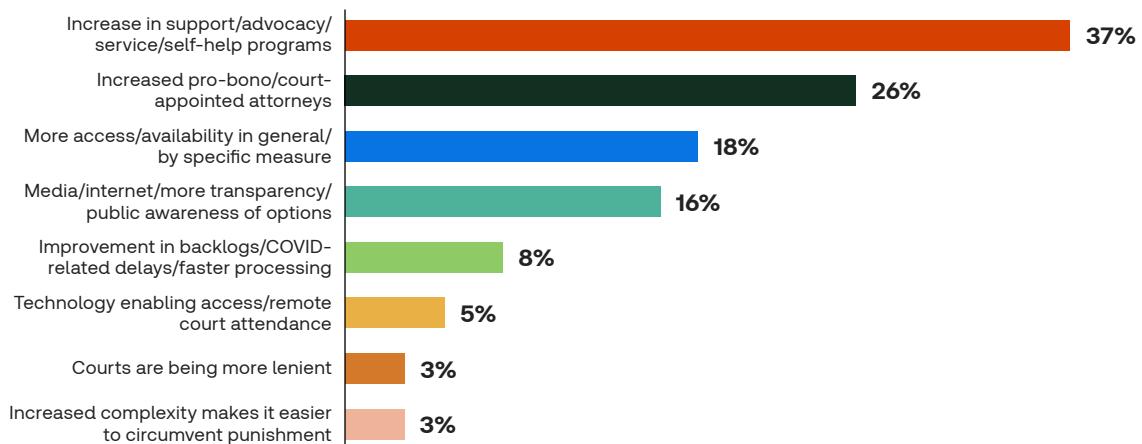
Source: Thomson Reuters 2024

Access to justice

Providing US citizens with a high level of access to justice is a strong motivating factor for many professionals who choose a career in the public legal sphere. Yet just one-fourth of all respondents (25%) said they think access to justice for US citizens has increased over the past two years, and the same proportion said they don't expect that to change much in the coming two years, either.

Among those respondents who said they think access to justice has *improved*, more than one-third (37%) cite increases in support and self-help programs, and slightly more than one-quarter (26%) cite the availability of pro bono or court-appointed attorneys as the main reasons for their optimistic view.

FIGURE 3:
Ways access to justice has increased



Source: Thomson Reuters 2024

Among those respondents (27%) who said they think access to justice has decreased over the past two years, they cited the higher costs associated with legal cases and legal representation (25%), followed by corruption or lack of respect that happens when politics are put before justice (23%) as main reasons.

Staffing and use of outside counsel

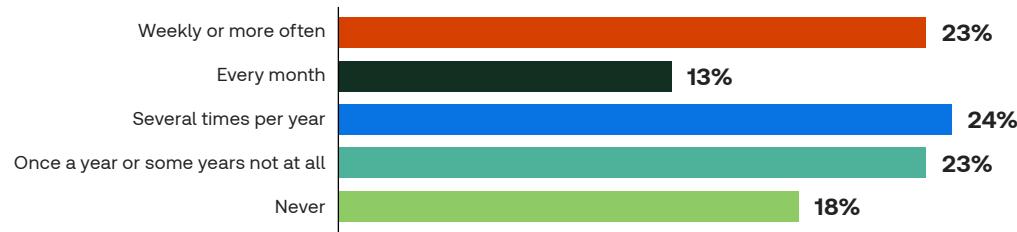
Another aspect of how government legal departments view themselves and their ultimate success concerns their level of staffing and how much they work with outside counsel. When asked about staffing in their government agencies or departments, many respondents said the situation has improved compared to previous years, and other staff-related indicators confirm that the staffing situation is stabilizing or progressing.

And while 77% of respondents reported that their departments experienced staffing shortages over the past two years, a smaller portion (62%) said they anticipate such shortages to continue over the next two years. Further, 29% said they saw a decrease in attorney staff headcount in the past two years, but just 15% said they expect such decreases over the next two years, and more than half (51%) said they expected things to stay the same.

Work by outside counsel

Overall, the frequency of using outside counsel was consistent with levels seen in the 2022 survey, and almost two-thirds of respondents (63%) said they expected that to continue at a similar level. Further, 45% of respondents said their organization was outsourcing up to 10% of legal work, while significantly fewer respondents — 29%, compared to 41% in 2022 — said they do not outsource any legal work.

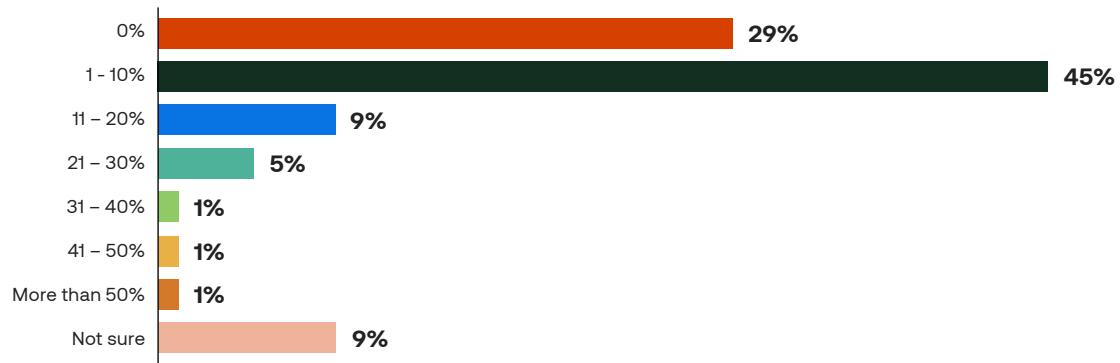
FIGURE 4:
Frequency of working with outside counsel



Source: Thomson Reuters 2024

FIGURE 5:

Percentage of legal work sourced to outside firms



Source: Thomson Reuters 2024

Remote work

About two-fifths of respondents (39%) said they are working full-time in the office, with an almost even split of the remainder between working a hybrid situation of 1 to 2 days in the office (28%), or 3 to 4 days in the office (27%). Just 6% said they were working fully remote.

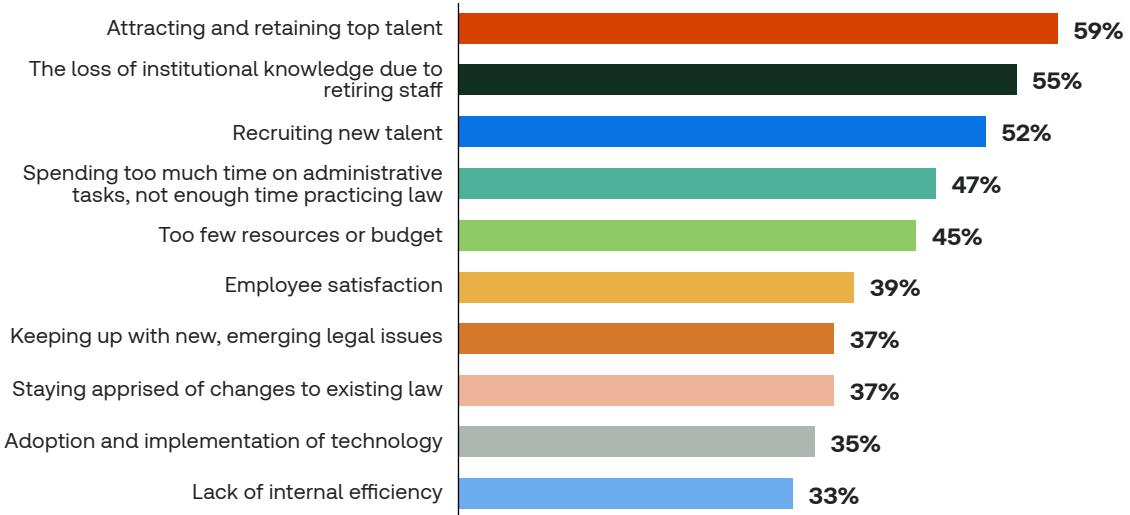
Part 2: How government legal departments identify and address challenges

Identifying top challenges

When it came to identifying the top challenges that government legal departments are facing now and may face in the future, talent-related issues continued to be the dominant concern. For example, 55% of respondents cited the loss of institutional knowledge due to retiring staff as a top challenge they're currently facing, and 52% cited recruiting new talent.

The top challenge cited was attracting and retaining top talent — a challenge not asked about in previous surveys — with 59% of respondents citing this.

FIGURE 6:
Major challenges facing department/agency



Source: Thomson Reuters 2024

Among these challenges, keeping up with new emerging legal issues overall has dropped with 37% of respondents citing it as a top challenges this year, compared to 48%, in the previous survey.

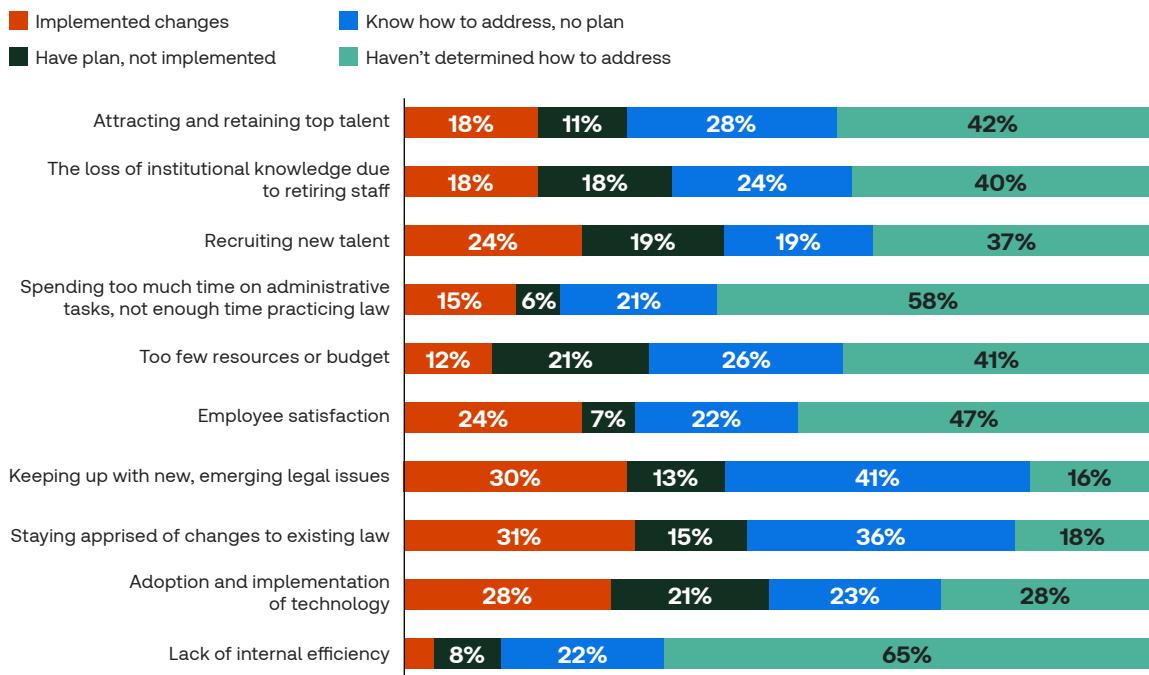
Adoption and implementation of technology is also seen as less challenging than it was previously with just more than one-third (35%) citing it as a top challenge now, compared to more than half (52%) who said that in the previous survey. Given the critical nature of adopting new technology, however, the fact that fewer respondents feel adoption and implementation of technology is a top challenge now may indicate that this problem is moving more into the realm of an addressable everyday work issue rather than a steep challenge.

Addressing top challenges

When it came to evaluating how their departments were addressing top challenges, the majority of respondents said their department either hadn't determined how to address certain challenges or did know how but had no plan in place to do so.

FIGURE 7:

How well department/agency addresses challenges



Source: Thomson Reuters 2024

When asked open-ended questions about the ways their department would address their top challenges, many respondents cited compensation incentives. One said their department would "attempt to keep salaries and wages competitive with the private sector and promote our benefit package." Others highlighted their departments' commitment to flexibility or a healthier workplace culture. One added that their department was going to "emphasize the flexible schedule" it can offer future employees; and another suggested increasing flex time working options and promoting the department's strong "work/life balance philosophy" to prospective recruits.

Further, when asked about what changes their department had made or planned to make to increase employee satisfaction, respondents also emphasized promoting more training opportunities, better work/life balance and increased work flexibility. One respondent noted their department was granting "liberal access to paid time off", and offering "hybrid and flex work schedules."

Many others suggested more employee involvement in determining caseloads or specific case topics. One respondent said their department was making sure it “assigned a variety of case topics to employees” and another even hired outside legal professionals “to take over ongoing cases to reduce workload” on other employees.

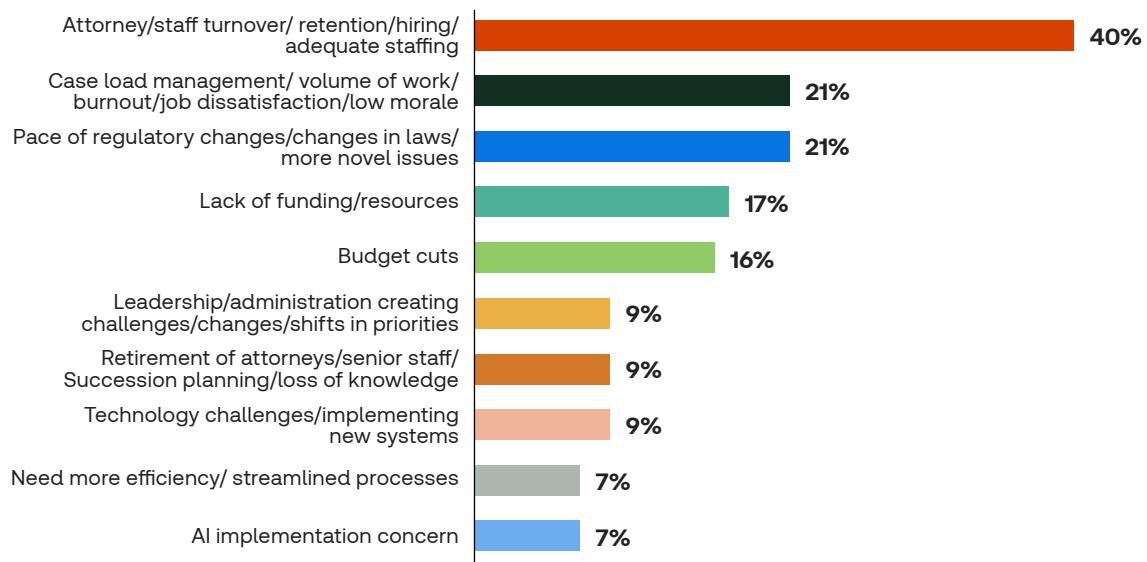
Two of the most under-addressed challenges related to improving efficiency — a key stated goal from many government legal department leaders. Majorities of respondents said that their department had not yet determined how to address the lack of internal efficiency (65%) and the fact that respondents were spending too much time on administrative tasks (58%) rather than practicing law.

Major issues impacting day-to-day work processes

When asked to independently identify the major issues currently impacting their government department on a daily basis, issues related to talent or personnel again were cited by respondents as the most critical. For example, concern over staff turnover was cited by 40% of respondents as a top issue, which was almost twice the portion of respondents that cited the next top issues — managing work caseloads and keeping up with the pace of regulatory changes. Even so, the portion of respondents citing staff turnover concerns had dropped 10 percentage points compared to the last survey.

Interestingly, some of the more macroeconomic concerns — such as worries over instability in the political climate and issues relating to remote work — have receded compared to previous surveys. And while still a small percentage, the portion of respondents citing lack of resource or funding climbed to 17% this year, compared to 5% in 2022.

FIGURE 8:
Major issues affecting department/agency



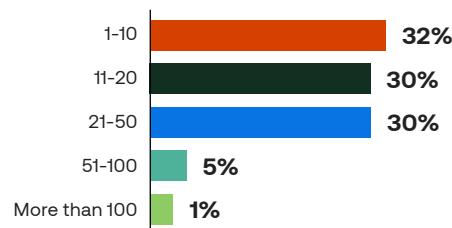
Source: Thomson Reuters 2024

The changing face of work for government law professionals

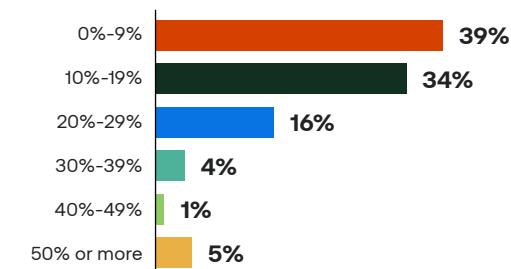
Individual work issues faced daily by government law professionals — such as the number of legal matters on which respondents said they work per week, as well as the number of new and complex legal issues with which they work — did not see large movement in the percentages. Although despite the stable work levels, more respondents cited worries over caseload management and employee burnout this year (21%), than did in our previous survey (15%).

FIGURE 9:

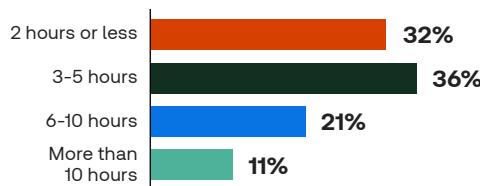
Individual legal matters worked on per week



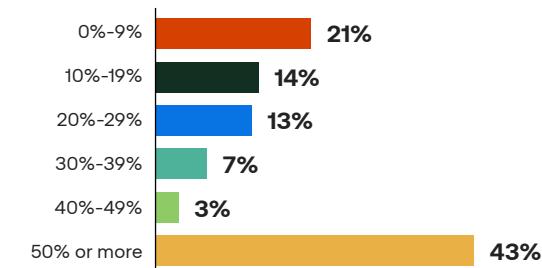
Percentage of novel issues dealt with weekly



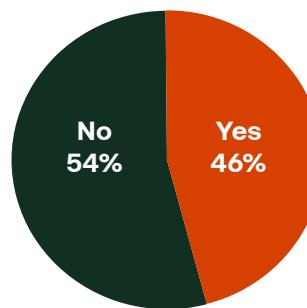
Hours spent per week researching novel areas



Percentage of complex legal research issues



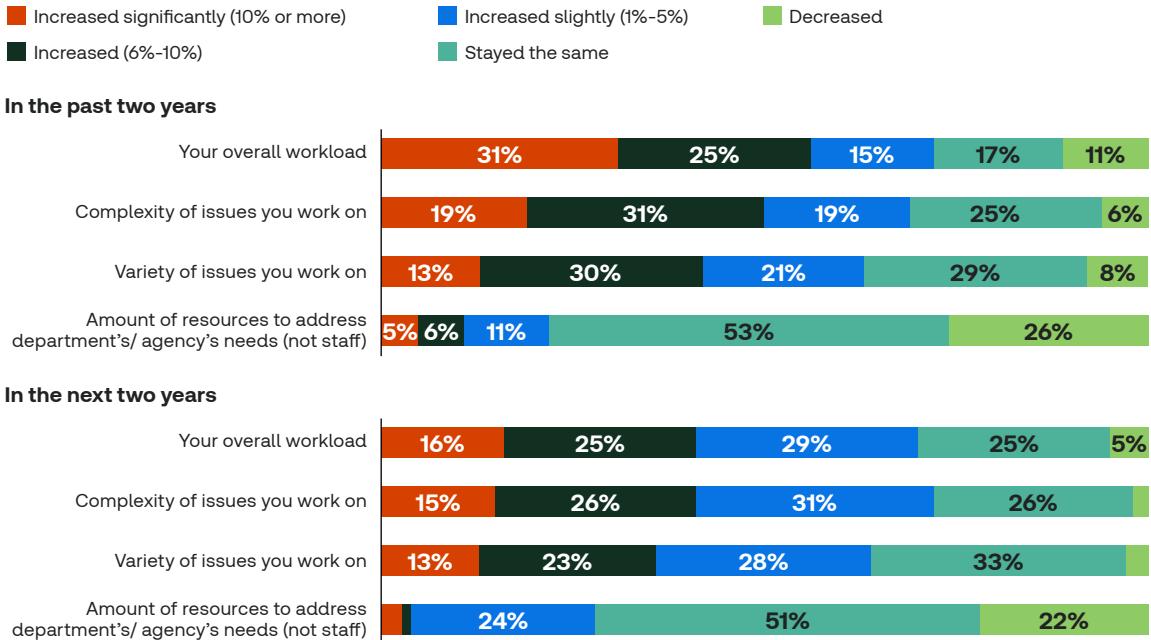
Have enough time to thoroughly conduct research on new/complex issues



Source: Thomson Reuters 2024

In a related development, more than half (54%) of respondents — roughly the same portion as last year — still say they are challenged by having enough time to thoroughly conduct research on new or complex issues. And, when asked about the changes they've seen in work attributes over the past two years, 71% of respondents said their overall workload was increasing, as was the complexity (69%) and variety (63%) of that work. And many respondents said they expect to see similar levels of complexity, variety, and volume over the next two years.

FIGURE 10:
Change in work attributes



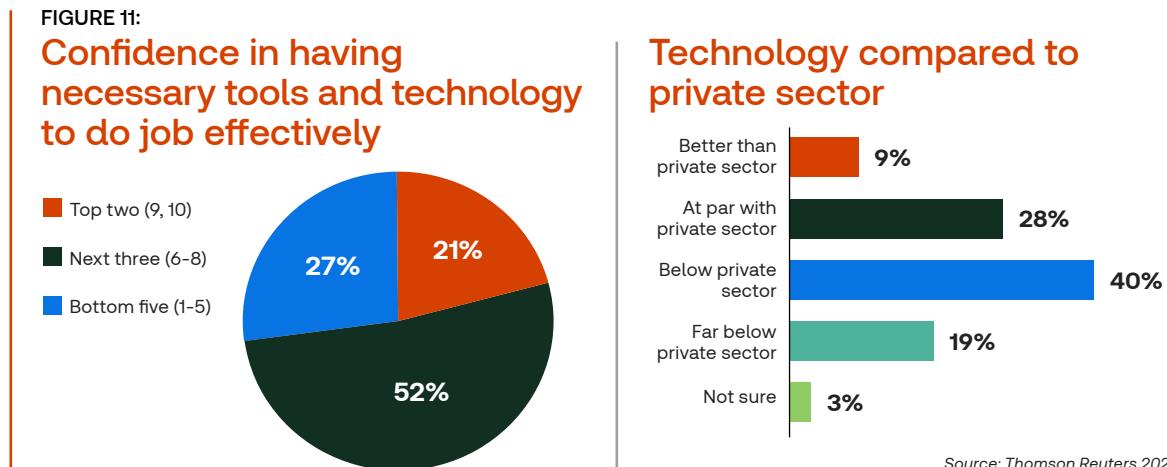
Source: Thomson Reuters 2024

Part 3: How government legal departments are leveraging technology

Technology adoption

The importance of technology solutions to boost efficiency and effectiveness at a government legal department cannot be overstated. More than one-third of respondents (37%) said that they feel the capabilities of their departments' technology resources are on par or better than those of the private sector, indicating that a majority still see room for improvement.

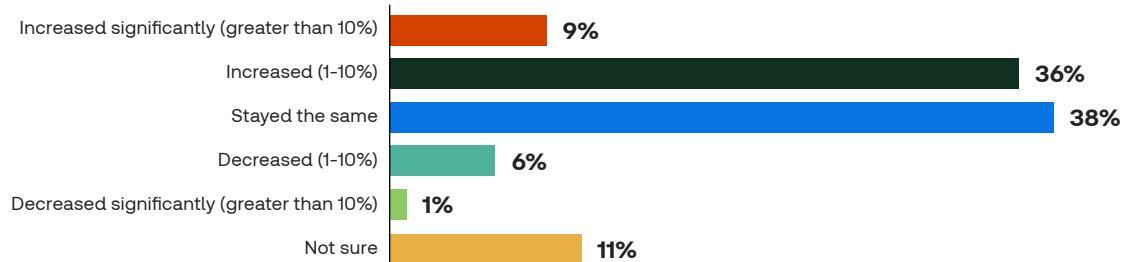
Further, when asked to rate their confidence level on a 10-point scale, almost three-quarters (73%) said they feel at least somewhat confident (ratings of 6 or higher) that they have the necessary tools and technology to do their jobs effectively.



In a hopeful development, technology investment by government legal department seemed to be ticking up a bit — a good sign given the apparent need for more and better tech solutions and tools. A good portion of respondents (45%) said that their department has increased its investment in technology over the past two years, up slightly from the last survey when 39% said this. And while the portion of respondents who said their agency decreased its technology spending moved up, it was still a very small percentage (7%).

FIGURE 12:

Change in technology investment over past two years



Source: Thomson Reuters 2024

As to use of generative artificial intelligence (GenAI) — the 800-pound gorilla of today’s technology — 29% of respondents said that they are either considering whether to use GenAI in the office, are planning to use it, or are already using it. And 62% said they have an optimistic or neutral attitude about the use of GenAI in their department or agency.

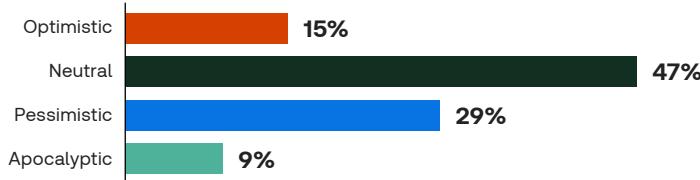
Not surprisingly given the public sector’s slower pace around innovation and new technology adoption, this view of GenAI among governmental legal department respondents diverges somewhat from the views of their private sector counterparts.² Much larger portions of law firms (59%) and corporate legal departments (63%) said they were either already using GenAI, were planning to use it, or were considering whether to use it in their work.

FIGURE 13:

Usage of Generative AI



Attitude towards Generative AI

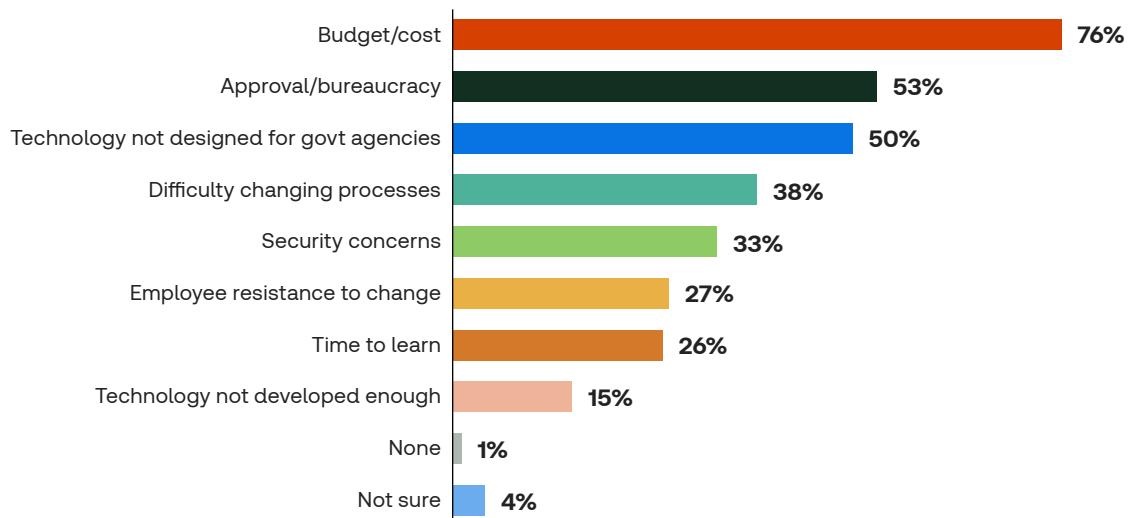


Source: Thomson Reuters 2024

When asked about the biggest barriers to new technology adoption, again not surprisingly, cost was cited as the biggest hurdle, with more than three-quarters of respondents saying this. Other barriers — such as a bureaucratic approval process (53%) and too few tech solutions being designed specifically for government agencies (50%) — were also cited.

² Data on private sector legal organizations was taken from the upcoming 2024 Generative AI in Professional Services Report; Thomson Reuters Institute, to be released later this week.

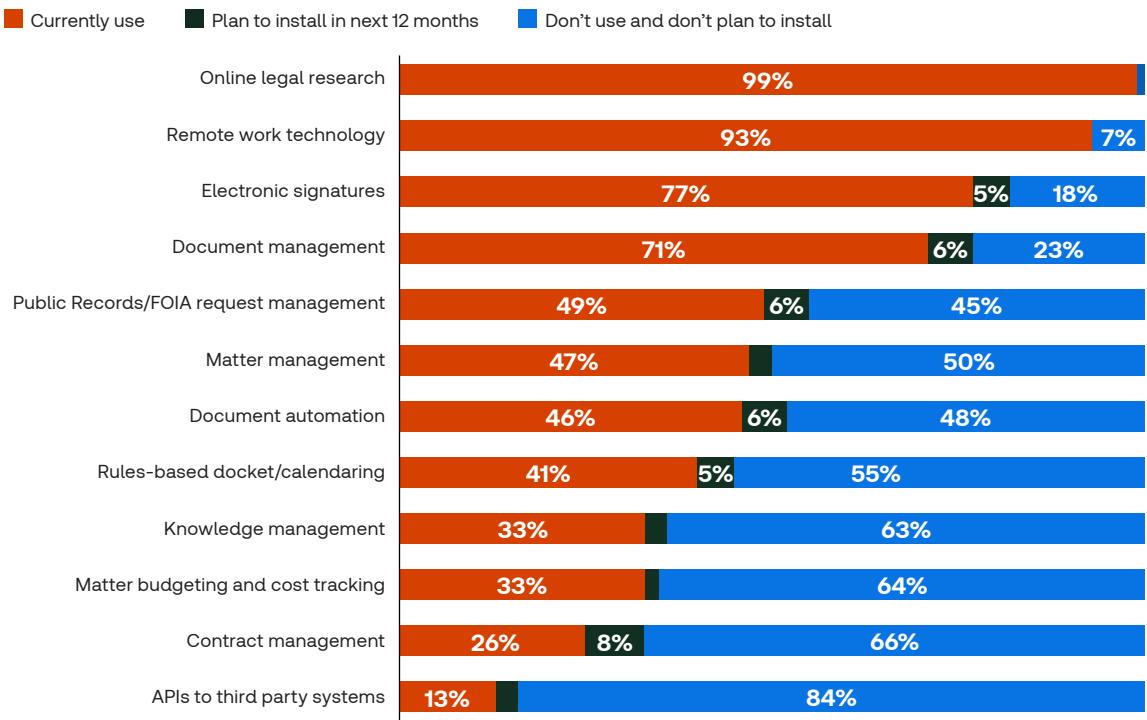
FIGURE 14:
Barriers to adopting new technology



Source: Thomson Reuters 2024

Among the technology solutions already in use within government legal departments, online legal research and remote work technology continue to be the most commonly used systems. Interestingly, usage of document management systems increased significantly to 71% this year, compared to 59% in the last survey.

FIGURE 15:
Technology systems used

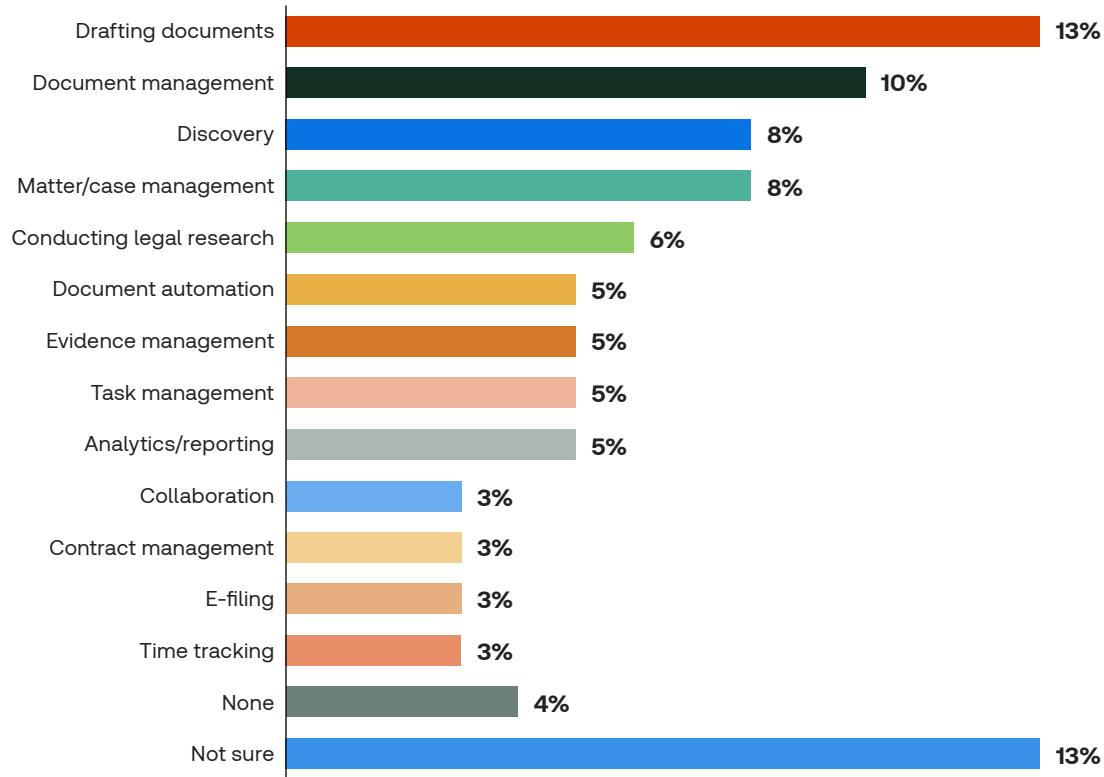


Source: Thomson Reuters 2024

Yet when asked which work tasks they *wished* had a viable technology solution to help users complete them, drafting documents was the top task cited, replacing discovery and legal research, both of which declined in consideration compared to 2022.

FIGURE 16:

Tasks needing a technology solution to complete



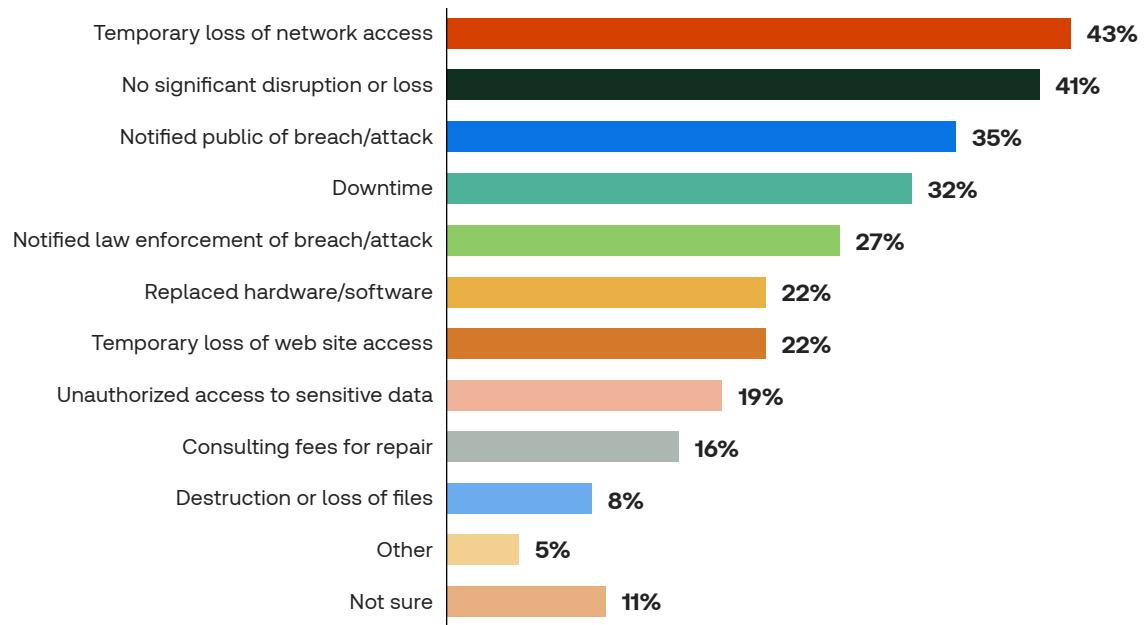
Source: Thomson Reuters 2024

Security breaches

Another challenge related to a department's technological prowess is its ability to protect its data and networks from security breaches. The portion of government legal departments that reported experiencing security breaches or malware infections decreased since our last survey, with 33% of respondents saying they had not had a security breach, compared to 22% that said that in 2022.

FIGURE 17:

Result of security breach/virus/spyware/malware



Source: Thomson Reuters 2024

Among those respondents that said they had experienced a security breach (25%), the biggest impact cited was temporary loss of access to networks. And although it appears that security breaches were less disruptive this year — with 41% of respondents reporting no significant disruption compared to 24% who said that in 2022 — there was a significant increase in public notifications resulting from such breaches.

Conclusion

This year's report showed that many government legal department professionals are defining their department as *successful* and feeling more confident in the direction that their department is taking, even as they acknowledge still-present challenges.

As some of their perennial hardships around budgets, staff shortages, and levels and types of work matters appeared to be stabilizing or even improving, many government legal professionals still cite challenges—such as the pace of departments' technology adoption and worries over hiring the kind of tech-savvy talent needed for the future—that are still prevalent and are likely to continue into this year and beyond.

Indeed, the report makes a strong argument that additional public investment—especially around talent and technology—is needed to allow government legal departments to find efficient solutions to their challenges, allow government legal department professionals to better serve the public effectively and in a more timely manner going forward.

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