

Types of Employment

A legal education prepares you for many career opportunities. Unless you know exactly what you want to do with your law degree, the decision on the type of career you want can be a difficult one. During your three years of law school, you need to narrow your focus of interest in order to make the decision easier. There are many factors that need to be considered, such as location, type of practice, size, security, flexibility, salary, etc. before you make your career decisions. The following descriptions of the various types of employment may help you better understand your choices.

Private Practice

The majority of attorneys entering the legal field are in private practice. Attorneys in private practice deliver legal services to clients for a fee. A private practice includes anything from a sole practitioner to a firm totaling 500+ attorneys.

Private practice can be divided into four basic categories; solo, small, medium and large firms.

Solo practice

Although the cost of starting your own practice may be great, many attorneys decide to "hang-up their own shingle" instead of working for someone else. A sole practice has the advantage of complete independence. Sole practitioners are found in every city but tend to be located in smaller cities and rural areas. When considering opening your own practice you need to find out exactly what it will cost. Due to the overhead costs and the need to develop a client base, very few students choose to "go solo" right out of law school. It is recommended that you first get experience and build your client base first before branching out on your own. It is becoming more common for two attorneys to share the costs by sharing office space and all of the overhead costs instead of going solo.

Small Firm (2-10 Attorneys)

The small firm is attractive to someone who likes the more personal working atmosphere. Most small practices are general practices, but there are some specialized small practices in the areas of labor law, litigation, personal injury, etc. The small firms hire on a need basis and do not usually participate in the fall recruiting season. It is important to target small firms and continue to check on the status of their hiring needs. Many positions are filled by word-of-mouth or on recommendations. The small firm tends to emphasize the attitude and personality "fit" more than the academic standards of the candidate.

Medium Firm (10-50 Attorneys)

Medium-sized firms may or may not be on a fall recruiting schedule. This size firm is found in both small and large cities, and, depending on the firm, it may also be determined by geographical location.

Large Firm (50+ Attorneys)

Large firms are generally located in major cities and tend to have a less personal atmosphere. Due to the size though, large firms can offer higher salaries, a steady client base, and prestige. The downside of a large firm should also be considered: long hours, high competitive atmosphere, little choice in types of cases, and a high level of stress. These factors have been a point of concern for students who want more flexibility in their careers. Large firms are on a very strict recruiting schedule in the fall and extend offers by December. The L-2 summer clerk is used as a vehicle for hiring new associates. Because the hiring is so competitive, the large firms can be very selective. Large firms are usually interested in academic performance and have strict hiring criteria. Usually a student must be in the top 10 percent of his/her class to meet the hiring criteria. Even though large firms are more visible, they hire only a small percentage of the law school graduates across the country. In recent years, large firms have had to re-evaluate their hiring needs due to the economy and to mergers and acquisitions.

Private Practice Resources:

Martindale - Hubbell Directories

Vertical files in Career Strategies (firm information)
Bar Association Directories
Alumni Network
NALP Directory of Legal Employers
Telephone Yellow Pages
Guide to Law Specialties
Law Firms Yellow Book

Corporations/Business

Many large corporations have their own in-house counsel. A corporate attorney becomes an important part of the corporation. They must learn the "business" so that they can become one of the team members. A person who is interested in business, the corporate legal department provides many interesting opportunities.

Accounting firms also hire attorneys to work on mergers, acquisitions, estate planning, etc. Accounting firms require law school graduates to have an accounting background and some require a CPA certification. Banks also hire law school graduates to work in their trust department, consumer lending department, credits department or human resource department.

Practice in business is very comparable to a large firm. The salaries and fringe benefits are very similar.

Corporations/Business Resources:

Directory of Corporate Counsel
Alumni Network
Vertical Files in Career Strategies
Standard & Poor's Register
Corporate Yellow Book

Government

The three levels of government (federal, state and local) offer many opportunities for a law graduate in a variety of areas of the law.

Federal Government

The Federal Government is the Nations's largest employer. The majority of the employees work in the Executive Branch with the remainder in the Legislative and Judicial Branches (See "Career Options in the Federal Government" located in the Career Strategies office.) We also now have the *Federal Yellow Book* which lists the federal agencies. The procedures for hiring varies tremendously from agency to agency. It is recommended to send your resume and **SF-171** form to the General Counsel and the Personnel Director of each agency in which you have an interest. An entry-level attorney is hired at the GS-9 to GS-11 level. (see *The National and Federal Legal Employment Report* for the salary range for these levels). Deadlines for applying for federal positions usually occur in the fall.

Most government departments and agencies hire attorneys to practice in a variety of areas and work on issues of national significance. Federal attorneys are heavily involved in investigations, regulations and legislative drafting. You will need to have the ability to write well and interpret regulations. Outside of the Department of Justice, federal attorneys have little opportunity for trial practice. Agency attorney's contribution is limited to submitting briefs and giving advise on facts of the case.

State/Local Government

The state and local levels are as complex as the federal level. Hiring is based on need and the budget. Individuals seeking employment with state or local agencies must apply directly to that agency. Most state and local agencies hire in the spring and summer or just when a position becomes available.

Prosecuting Attorneys at the state level are the Attorney General's office, and at the local level the position is called the district attorney, prosecuting attorney, state solicitor or county attorney. Each of the counties in the United States has a district attorney. The principal responsibility is to prosecute criminal cases at the local level. The size of the prosecutor's office depends on the size of the county.

Military

Each branch of the military has its own Judge Advocate General's Corps

(JAGC) which consists of all of the attorneys in that particular branch. Attorneys hired into the JAGC are commissions officers. JAGC attorneys practice in a variety of civil and military cases and have soldiers, military dependents and the command as clients.

Government Resources:

- Federal Yellow Book
- Federal Regional Yellow Book
- Federal Resume Guidebook
- State Yellow Book
- Congressional Yellow Book
- Career Options in Federal Government
- Washington Information Directory
- Federal Government Hiring
- The National Directory of Prosecuting Attorneys
- Careers In State and Local Government
- U.S. Lawyers Reference Directory
- National & Federal Legal Employment Report

Academic Positions

Qualifications vary but most law schools require at least three years practice experience, have clerked for a judge or have an LL.M. degree. Other criteria considered are law school attended, grades, Law Review, publications, and teaching experience. Individuals interested in pursuing a faculty position should register with The Association of American Law Schools and attend the annual recruitment conference in D.C. During the year, positions are posted in the AALS Placement Bulletin. Faculty positions are also posted throughout the year in the newsletters published by the law schools.

Undergraduate schools also hire individuals with J.D. degrees to teach a variety of courses such as business law, legal history, political science, etc. Most schools prefer a degree in a particular area and an advanced degree in the field along with a J.D. *The Chronicle of Higher Education*, a weekly publication that is available in the Career Strategies office, contains want ads in higher education.

A variety of positions are also available to individuals seeking employment in administration. Law schools along with undergraduate schools hire individuals with a J.D. degree in positions such as, Assistant Dean, Director of Admissions, Director of

Career Services, Coordinator of Continuing Education, Development Offices, etc.

Another option in a law school is the position of Law Librarian. To be a professional law librarian, a master's degree in library science is required along with a J.D. preferred. A student could work in the school's law library while attending law school to gain valuable experience for future employment.

Academic Resources:

- AALS Placement Bulletin
- The Chronicle of Higher Education
- The Education Directory: Colleges and Universities

Legal Aid/Public Interest

Legal aid programs seek to represent people who could not otherwise afford legal counsel. There is a great need for legal aid in our country today. The downside of working in the legal aid area is low salary, heavy caseloads, and early "burnout." Individuals seeking employment in the public sector are not in it for the money but rather for self-satisfaction and the desire to help others. Personal satisfaction can be very high in this area of the law. The area of the law most commonly practiced is civil law. The cases usually involve domestic relations, housing, consumer protection, public assistance and civil rights. Although the salary is low, an attorney can gain valuable experience in litigation from the beginning. Due to federal funding for legal aid societies being uncertain, availability of jobs is unpredictable.

Public Interest organizations such as ABLE (Advocates for Basic Legal Equality) are formed to promote the interest of the public in areas such as consumer protection, environmental law, communications, and government responsiveness. These organizations help protect our rights as citizens. Again, because funding is somewhat limited, job opportunities are also limited. These positions can be challenging and self-satisfying.

Timing is a very important factor in being hired as a public interest attorney. Most organizations are small and hire out of need. Networking and persistence is very important in securing a public interest position.

Public Defender

Public Defender offices hire attorneys to provide criminal defense for those

people who can not afford legal counsel. These offices are funded both state and locally. As a public defender, you will have the opportunity to immediately gain courtroom experience. As with any position in the public sector, the salaries are low and the caseload heavy, but there is a great deal of personal satisfaction.

Legal Aid/Public Interest Resources:

- Directory of Legal Aid and Defenders Offices in the U. S.
- Public Interest Directory
- Good Works
- Vertical files in Career Strategies
- Directory of Public Interest Law Centers
- Law Firms and Pro Bono
- Liberty and Justice for All
- The NAPIL Connection
- Minority Organizations: A National Directory
- Environmental Opportunities

Judicial Clerkships

A law clerk serves as an assistant to and at the direction of the judge and performs many functions. Clerkships are available in both federal and state courts and at both the trial and appellate levels. A clerk usually is assigned such duties as proofreading, editing, legal research, drafting and citation verification. In addition, the preparation of pre-argument memoranda is virtually universal at the federal courts. Frequently, clerks also have responsibility for library maintenance, document assembly, service as courtroom crier, and run personal errands for the judge. Clerks often attend conferences and discussions with the judge regarding pending cases. Though a clerk's tasks are generally those described above, a law clerk may be more broadly described as a lawyer employed to assist the judge with as many administrative, clerical, and basic legal tasks as possible, so as to leave the judge more time for judging and critical decision-making. There is no narrow job description for a law clerk; the clerk may be called upon to perform any of the tasks assigned to the judge's office staff in order to aid in administration of the judge's docket. The clerk is a member of the judge's staff. S/he must work cooperatively with the other members as a team to attempt together to carry out the overall philosophy of the court. Although each member of the staff has

certain specific duties assigned, the staff must act as a unit and the staff members must be positively helpful to each other. The clerk's general function is to participate in processing effectively and fairly the litigation assigned.

Like an apprentice, a clerk learns by doing and by acting as a participant in making real decisions. The education of a clerk is pragmatic. The clerk learns by association with the judge, formerly an accomplished practitioner or educator, and by attending numerous trials, conferences, or oral arguments. The education is not limited to legal analysis; rather, it includes socialization into the methods and practices of practitioners and the standards of professional behavior that are expected of lawyers, as well as exposure to a full range of legal styles and abilities. The clerk comes to know what to expect of others and to what standards s/he will hold him/herself.

Perhaps the unique value of clerking is the personal insight into the judicial process which is invaluable for future practice or teaching. The law clerk's contact with this process of adjudicating disputes should contribute to the development of skills in analysis and expression, to understanding the practical considerations with which the law must deal, and the tools of effective persuasion. Moreover, the clerk is exposed to the contemporary and significant legal issues of the day, as well as the social and economic implications of those issues. Observing the challenging roles that experienced judges and lawyers play in the resolution of substantial controversies adds to the clerk's own professional development.

Clerking is also good training: working for a good judge is like getting to work every day with the best senior partner in a law firm. You get personal attention, challenges, instruction, and friendship which is unparalleled among other entry level jobs in the legal profession.

If you work for a trial judge, you will spend your time assisting in pre-trial hearings and motions, conferring with lawyers, attending settlement conferences, observing trials, helping your judge rule on discovery, jurisdictional and evidentiary questions, and from time to time, writing and editing opinions. If you work for an appellate judge, you will attend numerous oral arguments, evaluate appellate briefs, study trial transcripts, and help write and edit numerous opinions and dissents. In both jobs you will be exposed to a continuing pageant of good and bad lawyers. Your judge, like a clinical teacher, will be quick to share his or her perceptions of the lawyers' abilities whether they be good or bad. Not only will your judge train you as a lawyer, by anecdote and example; s/he will reveal to you how the judicial mind works, and how to appear successful to his/her concerns when you practice law yourself.

A clerkship is stimulating and fun. Many cases which make it to trial, and to appeal are interesting and important cases of first impression. You will find yourself advising your judge on cases your professor said involved "the next open questions unresolved by the courts thus far." Your judge will look to you for creative ideas and use you as an intellectual sounding board. Moreover, after three years of the case method, the one thing you are exquisitely well-equipped to do is be a judge. It is undeniably an ego trip to find yourself making an impact on the law so soon after graduation.

Talk to some people who have had this experience. It is rare to find anyone who does not rave about it. Reflect also on the fact that most good law firms in the metropolitan area will pay you the same salary your classmates receive, even though you have spent a year with a judge while they entered the firm immediately upon graduation. If you look forward to practice in a smaller community, clerking for a state supreme, or appellate or local court judge can provide important contacts for getting a good job. After all, most state court judges are elected, and most lions of the local bars.

Some students are attracted to clerkships as a chance to postpone entry into practice in order to survey the field. Clerks have the luxury of seeing a wide variety of substantive areas of law and get to observe a large number of lawyers (potential future contacts for employment of business referrals).

In addition to the many contacts you will develop in working with numerous attorneys, your judge will also become an invaluable resource. Most judges take a very parental approach to their law clerks when it comes to employment after the clerkship. Many judges have been known to make phone calls, circulate resumes, and even suggest potential employers.

One other plus of clerking is that it may allow an individual entry into markets which are otherwise inaccessible immediately after law school.

On the down side, while the pay is above the poverty level and does vary widely, it is not competitive in certain major markets. Federal Courts pay between \$26,000 and \$33,000 depending on the level and whether the clerk is in the second year of the clerkship. State court clerkships range from \$18,000 to \$29,000, again depending on the level and location of the court.

For the older student, a clerkship can in some cases be seen as a luxury of time since age can be a factor (even though illegal or unethical) in employability. However, the experience gained will in almost all instances outweigh the passage of time.

The only legitimate negative factor regarding clerking (other than the possibility of choosing a "bad" judge) is the transition from clerking to practice. Many firms give credit for the clerkship in terms of salary and time worked prior to consideration for partnership and in return expect the clerk to perform as if s/he had been at the firm for a year.

The Office of Law Career Strategies, as well as the faculty and administration of Ohio Northern University College of Law, highly endorses the clerkship experience. For further application and employment information for clerkships, contact the Office.

Judicial Clerkship Resources:

- Federal and State Judicial Clerkship Directory
- NALP Judicial Clerkship Directory
- Almanac of the Federal Judiciary Vol I & II
- Federal - State Court Directory
- BNA's Directory of State Courts, Judges, and Clerks
- United States Court Directory
- State Yellow Book
- Municipal Yellow Book
- Federal Yellow Book

Summer Clerkships for First and Second Year Law Students

Summer clerkships are more plentiful for second year students than for first year students. As with any job search, students seeking summer clerkships must exercise diligence and be willing to invest substantial amount of time.

The legal hiring season is traditionally in the fall. However, first year law students are prohibited by the National Association for Law Placement from beginning their search until after December 1. It is difficult anyway to begin the search without a transcript and writing sample.

If you have contacts and networking advantages, you may want to begin the search before Christmas, even though you do not have grades to list. You can inform potential

employers that you will be in their area and available for an interview.

If you wait until after the Christmas holidays, spend that time putting together your resume. Upon returning to school, the Director will go over it with you, making the most of your work experience and limited legal education, before you finalize it.

The Office of Law Career Strategies has a separate area for posting summer job opportunities on the job posting board. Consult it frequently. It changes on a regular basis as listings are received daily during peak periods. It is also helpful to use every possible contact from your family, friends, alumni of your undergraduate school, and alumni of our law school who are located in the area where you would like to work.

If you wish to work part time during your second and third years of law school, there are several points to remember. Rules of the American Bar Association, as well as the College require that you work no more than twenty hours per week. If you take on more than that, you will almost certainly suffer academically and could be subject to disciplinary action. One of the best sources of part time jobs is the job posting board. You should also make your own contacts. The Director will be happy to help you prepare a resume, and will identify likely prospects for employment. Frequently, job opportunities come directly to the office for an immediate reference. Be sure to let us know that you are looking for an opportunity so that we can keep you in mind and help you out.

Clerking between your second and third years of law school can open many employment doors for you. When you attempt to market yourself for a position following graduation, having practical legal experience will certainly give you an edge over those applicants that do not. Not having the experience is going to put you behind in the game.