

## **CHAPTER FIVE**

### **MAKING YOURSELF MARKETABLE**

What are public interest employers looking for and how can you, from your position at a private law firm, demonstrate that you have the ability and experience they seek? Acquiring the appropriate public interest credentials while working for a private firm can be a challenge. Although your firm experience is certainly valuable, a public interest employer may not be convinced that it makes you the best lawyer for the job. Proving that you are the right candidate for a public interest opening usually entails both showcasing the skills you already have in just the right way, and taking additional steps to gain relevant experience and show your commitment.

#### **What Public Interest Employers Look For**

*The public interest organizations to which I applied were looking for someone with experience, not someone right out of law school. Applicants who had taken three environmental law courses in law school didn't impress them. Familiarity with policy-making, back room politics, working with the media—those are the kinds of skills employers wanted, and they're not the kind you learn as a traditional lawyer.*

Most public interest employers seek lawyers who have previous public service experience, ideally in the employers' areas of expertise. Thus, the more exposure you

gain to the specific type of public interest practice that interests you, the better. Given their lack of resources and often inadequate staffing, public interest offices generally look for self-starting attorneys who can assume a tremendous amount of responsibility quickly. They seek people who will not require extensive tutoring in research, writing, or other fundamentals.

Public interest employers are keenly interested in your skills, but they are also interested in your commitment to their work—whether you will fit in with the rest of the staff, whether you have enough passion for the cause to sustain you through long hours, low pay and tough battles, whether you will stay with the office long enough to make their training investment in you pay off. If you have little experience outside of the private sector, employers may question the strength of your commitment to public interest practice, wondering if you plan to use their office only as a stepping stone or a way to escape from your current job.

To overcome such skepticism and present yourself as the strongest applicant you can be, take a three-part approach. First, emphasize the public service experience you do have. Second, identify the skills you have gained in the private sector that are valuable to the public interest field you are attempting to enter. Finally, if the combination of your public interest and private practice experience comes up short for the job you seek, go out and get more. Build a track record that demonstrates public interest commitment—one that has substantive overlap with the areas that you will target for your job search.

## **Communicating Your Public Interest Experience**

Catalogue your public service-related experience all the way back to college. Any past public interest experience, whether legal in nature or not, will help persuade a potential public interest employer that you are committed to this type of work. Even volunteer work, such as fundraising for a public interest cause, community organizing, or local political campaigns, can demonstrate your ongoing public service commitment.

Making a list can clarify what your current public interest credentials are and help you decide where they need improvement. Grab a legal pad and answer the following questions:

*While at your law firm:*

- What pro bono work have you undertaken?
- What, specifically, did you do on each case?
- How did this experience touch on areas of the law in which you are seeking work?
- Have you been active in any public interest groups or organizations?
- What leadership positions have you held?
- Have you been active on any bar committees?
- Have you volunteered in community organizations or participated in local politics outside of work?

*While in law school:*

- Did you work for any public interest offices for the summer or during the semester?
- What clinical courses did you take?

- Did you belong to any public interest-related student organizations?
- Did any of these involve advocacy for clients or causes?
- Did you write any public interest-related articles for journals or papers for classes?
- Did you take any courses or seminars in the area(s) of public interest law that you are now pursuing?
- Was your professor someone well known in the field whose recommendation would carry particular weight?

*Before law school:*

- Did you spend time working in public interest before law school?
- Do you have any other graduate degrees that are relevant to your search?

*While in college or other graduate studies:*

- Did you write any papers or a thesis or take classes with a particular focus on public interest issues?
- Did your major touch upon public interest areas?
- Did you belong to any public interest-related student organizations?
- Did you perform any community service work or volunteer work?
- Did you work for any public interest organizations for the summer or during the semester?

**Assessing Transferable Skills**

*There's a common belief that because you have spent so much time doing one thing, you can't do anything else. The truth is that you have lots of transferable skills; my friends and I all started at firms and have wound up doing a broad range of things. Don't pigeonhole yourself.*

In addition to public interest endeavors, consider what strengths can be taken from your work at the firm, especially if you have been there for several years. Skills that you take for granted may turn out to be crucial assets in the area of law you plan to pursue. One real estate lawyer who had no previous experience with environmental groups found that he was nonetheless a desirable candidate because of the knowledge of land-use law and environmental regulations he had acquired at the firm.

*Soak up as much as you can from your firm. Don't fall into the trap of hating the firm and not getting anything out of it. Make yourself marketable; don't sit around getting sullen.*

Litigation skills gained at a firm often make you a more competitive applicant. One lawyer noted that his firm litigation experience helped him get a job that involved court battles against large corporations. Another escapee advises:

*It's hard, coming out of a law firm, to know what skills you have because of how critical the supervision is and because of lack of real world experience. Many*

*skills are transferable. Make a list of the things you do well—analyzing, researching, public speaking, advocating, for example. Most lawyers have at least these skills.*

Make a list of all the skills you have developed in the private sector that could prove useful in your next endeavor:

- What substantive areas has your firm work involved?
- What type of expertise have you developed?
- Has any of your firm work been on issues that could be relevant to the type of public interest work you seek, such as labor, environmental, or disability law?
- What practice skills, such as investigation, research, drafting, litigating, negotiating, lobbying, mediating, or writing briefs, have you developed?
- How much in-court experience have you had?
- How much client contact have you had?

Determine how to present your experience in its best light. Consider where you want to go next, then think about the most advantageous way to demonstrate skills applicable to that type of work.

### **Gaining Relevant Public Interest Experience While Still At A Firm**

*I took a position with a large Los Angeles firm after graduation from law school with the intention that I would gain valuable experience for a few years, and then*

*apply to environmental groups. When I began to apply to environmental groups, however, I found that my experience in a law firm did not translate well to this type of practice. I learned the hard way about the importance of steadfast loyalty to your goals. Demonstrated commitment is one of the most important qualifications you can offer a prospective public interest employer.*

To get the public interest job you want, you need to think strategically about how to add public interest experience to your resume. Working on public service while at the firm will both add to your credentials and give you invaluable exposure to different types of practice. For example, if you are currently in a corporate department but want to move into an area that involves litigation, working on a pro bono case can help you develop or demonstrate litigation skills.

Becoming involved in public interest work will also increase your networking opportunities. The public interest community in any given geographic area tends to be close-knit, and employers often fill new job openings through informal contacts and referrals. Many of the lawyers we interviewed moved from their firms to public interest employment through contacts they made while doing pro bono cases.

Below are some of the creative strategies other attorneys have used to gain access to their targeted areas of public interest law and demonstrate an ongoing public service commitment while still at a law firm.

### ***Do Pro Bono Work***

Doing pro bono work while at a firm allows you to dedicate time to issues that interest you and adds variety to your caseload. However, in order to focus on issues that are directly related to your areas of interest, you may need to find your own pro bono matters instead of accepting cases your firm has chosen.

*Your firm may try to channel you into doing pro bono work that is beneficial to them but not necessarily beneficial to your long-term career interests. I took a lot of individual cases because my firm participated in a legal services program that had walk-in clients. In retrospect, I should have balanced my caseload with impact-oriented cases that would have put me in contact with other public interest lawyers in my area of interest. As it was, the firm got the credit for the work that I did, but I remained faceless.*

Many local bar associations sponsor programs or referral networks that match lawyers with pro bono cases. You also could try to convince your firm to allow you to participate in a local rotation program with the district attorney, attorney general, or a legal services center. Rotation programs typically send firm associates to public service organizations for a few days every month or several months at a time.

*Keep doing pro bono work while at the firm, if you can, in the public interest area in which you want to work. Find a way of showing an ongoing commitment.*

Find out what your firm's policy is toward independent pro bono work, and then evaluate the steps you need to take in order to make pro bono matters part of your caseload. Use whatever support system your firm provides for pro bono work; if that support system is inadequate, ask the firm to enhance it. Support for pro bono work can range from providing paralegal and secretarial pools to covering court fees and giving credit for billable hours. Always clear new pro bono matters with your firm to safeguard against potential conflicts with existing firm clients.

Your firm also might allow you to take time off to pursue pro bono cases. Following the Los Angeles riots, two associates from a local firm spent three months in the mayor's office managing legal issues surrounding relief and rebuilding efforts. Another escapee took a six-month leave of absence from his firm to delve into pro bono work full time. A law school graduate negotiated with her new firm to receive half of her salary and full benefits for six months while she worked for a children's rights program. At the end of that time, she returned to the firm and worked full-time at half salary for the remaining six months of that first year. Depending on how long you have been with the firm, you may be able to negotiate your own arrangement for pro bono work, although you may have to consider taking an unpaid leave.

### ***Volunteer***

*If you have a passion for a specific area, get involved in committees, or do volunteer work in that area.*

There are thousands of law-related non-profit organizations around the country who need the help of experienced volunteers. If you would like to move into family law, for example, helping battered women obtain temporary restraining orders through a local shelter will bring you closer to the issues that interest you. Finding a place to volunteer should prove fairly easy. You can contact any legal services and non-profit employers in your area directly. Local bar organizations, such as the Washington Council of Lawyers or the Boston Bar Association, often publish referral manuals which list most of the public service providers in the area and the type of volunteers they need.

Even volunteering outside of the realm of law can help you make contacts and demonstrate your commitment to public interest. Not only will you make yourself known within the network of local public interest organizations, you will show a passion for issues that can help tie your legal background to your public interest aspirations. Volunteering at a local food bank, adult literacy center, student mentoring program, or other non-profit service or advocacy organization can introduce you to a new field, or supplement the public interest work you have already done.

### ***Get Involved in an Organization***

*Join professional associations in your area of interest—for me, these included Women in Housing and Finance, the National Association of Housing and Redevelopment Officials, and the American Planning Association.*

If your time for public interest legal work is limited, join a law-related not-for-profit organization that interests you. Becoming part of an organization will put you in closer contact with job sources and help demonstrate your commitment to that area of public interest. Organizations such as the NAACP, Sierra Club, NOW, and National Lawyer's Guild have large memberships in most cities and take an active role within the community. These groups consist largely of professionals who meet at night or on weekends. Pick an organization that advocates for issues in which you believe, and find out how you can get involved.

Try to get to know people within legal organizations that you have joined. Belonging to an organization will not provide you with connections or experience if you limit yourself to paying dues and thumbing through the monthly newsletter. Many chapters of national organizations have a core of active members and several law-related committees, ranging from a pro bono group to a legislative action or fundraising committee.

Fundraising for an organization can provide a fast way for you to make a name for yourself in your community, and gain credibility with and access to potential employers. Your law firm position can work to your advantage in fundraising efforts—both in terms of getting the firm to participate in events, such as buying a table at a charity dinner, and in tapping individual firm members to donate.

Another way to establish yourself within an organization is to attend its meetings and any special programs it offers. See if your local bar organization runs panels and events that cater to public interest-minded members. Panels can be both informative and

inspiring, and they bring still more potential contacts into reach, giving you a chance to introduce yourself and add to your network.

If you already have interest or expertise in a particular issue, you could also organize a panel or subcommittee of your own. Not only will you further your education in that area, you will also advertise your skills and interests to the rest of the public interest community.

### ***Publish***

*I wrote my first law review article—it's on rules of criminal procedure—specifically to get out of a law firm and into a prosecuting office.*

By writing articles on an area of interest for any publication, from a law review journal to the op-ed page of a newspaper, you can identify yourself as an expert to a larger audience. You can enclose them with a cover letter and resume when applying for jobs, especially when the subject matter of the article is relevant to a particular position. Not only will employers respect your competence in the matters about which you have written, but they will also recognize your talents as a writer.

If you have extensive legal knowledge of and commitment to an issue, submit your work to a legal or bar journal. However, since few people actually read through the articles in these journals, you may not earn recognition in the local legal community. Pay attention to your audience: who do you want to read your piece, and where will they most likely see it? An opinion piece in the local *Lawyers Weekly*, a book review of a law-

related nonfiction work, a letter to the editor, or a column in a newspaper or periodical will distinguish you in your area's public interest community.

### ***Improve or Learn a Language***

*Cultivating language skills, especially Spanish for legal services work, gives you a leg up on other candidates.*

Lawyers who are fluent in more than one language often have a competitive edge in public interest practice areas that involve international work or serve a population for whom English is a second language. Your ability to read documents in that language or to converse with clients in their native tongues may prove critical to some public interest employers. Depending on the type of public service work that interests you, it may be worthwhile to improve your skills or learn a new language, either through classes or a short-term immersion program.

In California and the Sunbelt states, Spanish may seem the obvious choice for a second language. However, in deciding what language to learn, be sure to ask yourself the following questions: What community or communities do you wish to serve? What is the ethnic make-up of your target geographic area? Which languages do you know already? How much personal challenge are you looking for?

### ***Read Up on Your Areas of Interest***

*Be current on your reading. In interviews, interest in the field counts for a lot.*

Knowing the issues in a particular area of public sector work puts you in a better position to assess your next career move and to impress interviewers with your knowledge. Reading journals, key cases, and other publications in your field of interest will help you stay up-to-date on current issues and developments in that area. You may also find it helpful to take Continuing Legal Education classes in order to gain familiarity with particular practice areas.

The key is to build knowledge of practical concerns in the field without being overly academic. This self-education will provide you with the confidence and background to do well in an interview by showing an overall understanding of the issues your ideal job involves.

### **Transitional Moves**

A growing number of attorneys have taken one year positions, such as judicial clerkships or fellowships, or they have pursued graduate degrees as a means of moving away from firm work, giving themselves time to focus on their next steps while gaining marketable experience.

### ***Judicial Clerkships***

Judges on both the federal and state level have begun to select lawyers who have been in practice for several years to be their judicial clerks. A clerkship can provide new skills, build upon existing skills, and give you a less stressful and less time-absorbing

base from which to launch your job search. For many lawyers, clerkships have provided graceful exits from law firms.

*I worked in a private law firm as a litigation associate, writing discovery responses, reviewing and gathering documents, and doing legal research. Finding myself uninterested in the subject matter, I moved within my firm from litigation to real estate. Still unhappy because of a pressured work environment, I sought out and found a judicial clerkship.*

*My one-year clerkship allowed me to work for an unbelievable role model, to research and write draft opinions for my judge, to swear in witnesses, and to serve as a custodian of the evidence as a courtroom clerk. I enjoyed the focus on research and writing. I liked having the law as my client, rather than feeling that I was an integral part of the economy. Because I made the transition fairly early in my career, I had few financial obligations and found I could cope well with a drop in income.*

*After my clerkship, I used networking contacts to land a job as an Assistant U.S. Attorney. My responsibilities now include researching and writing briefs for a federal Circuit Court, conducting oral arguments, deciding which cases to appeal, and reviewing all briefs written by other attorneys in my office. I particularly enjoy the significant decision-making responsibility that my job carries, find the subject matter interesting, and consider it gratifying to work for the government as a prosecutor “to do what is right.”*

To find a judicial clerkship, your best strategy is to write to newly appointed or elected judges. These judges are most likely to have openings in the near future. You can also enter the regular judicial hiring cycle, but be aware that this cycle runs well over a year in advance of the clerkship's start date. Check with your law school career services office, as well, for any late-breaking clerkship openings.

Networking can also lead to clerking. One attorney found his clerkship while conducting informational interviews. After talking with a federal district court judge before whom he had practiced, he was offered a clerkship, which he accepted. He stayed in that position for nearly two years. When a position opened up at a federal agency where he was interested in working, he negotiated an earlier end date with the judge, and the agency agreed to hold the job open for him until that date.

If you are a recent law school graduate, a clerkship may offer you a means to get time away from the firm while still keeping your job. Because law firms value the direct litigation exposure that a clerkship provides, they will often extend leaves of absence for a judicial clerkship to junior litigation associates who came directly to the firm without clerking first. This arrangement can provide the safety net of a job to which you can return at the end of your clerkship, if you have not yet found the right public interest job.

### ***Fellowships***

Public service fellowships also can help you move from a law firm to the public sector. While many such fellowships have been specifically designed for entry-level

attorneys, others, like the White House Fellows Program and funding for entrepreneurial initiatives such as the National Association of Public Interest Law and Echoing Green Foundation fellowships, encourage applications from attorneys who have been out of school for a number of years. A current and detailed description of available public service fellowships can be found in the fellowship directory of the most recent edition of Harvard Law School's *Public Interest Job Search Guide*.

### ***Pursuing a Graduate Degree***

Some attorneys find that returning to school for a short period of time, such as for a one-year master's program, provides a much-needed springboard for changing career directions. Frequently chosen degrees include public policy, or an L.L.M with a specific area of focus such as environmental law, public health, or education. Several schools, such as Harvard's Kennedy School of Government and the Harvard School of Public Health, offer special mid-career programs.

### **Weaving It All Into A Story**

Making yourself marketable involves acquiring needed experience and packaging your background in a compelling way. After reassessing your public interest roots, evaluating what transferable skills you have acquired in private practice, and taking steps to fill gaps in your public interest experience, you need to weave your background and aspirations into a cohesive story. The key in crafting this story is to emphasize consistent themes in your history that relate to the area of practice you want to enter and to convey

them in informational interviews, cover letters, and job interviews. Your story should highlight relevant experiences and make the job to which you are applying seem like an obvious next step to an employer. Pulling your story together in this way will help you to feel more directed in your search, and at the same time help you to communicate your objectives clearly to prospective employers.