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The New York Times

January 30, 2001, Tuesday, Late Edition - Final

SECTION: Section G; Page 4; Column 3; Working

LENGTH: 1576 words

HEADLINE: As Law Firms Scramble for New Talent, The New Talent Finds the

Rewards

BYLINE: By LAURA MANSNERUS

BODY:

AS a 1998 graduate of Rutgers, with a degree in criminal justice and sociology and a willingness to share an apartment, David Dugan went to work for the American Arbitration Association. It was a "decent job," he said, paying about \$24,000 a year.

But that was before law school. Last summer, after his first year at Rutgers School of Law in Newark, he discovered his new market value. The law firms descended in search of this year's summer associates, who are

practically assured of permanent offers later. And among Manhattan firms looking for starting associates with credentials like Mr. Dugan's, the going rate is \$125,000. That doesn't include the guaranteed bonus of

Since 1980, the schools have kept the number of new places between 40,000 and 44,000 a year. Applications, meanwhile, have zigzagged between a low point of 60,000 (in 1985) and a high point of 99,000 (in 1991).

"Among the 25 schools that think they're in the top 10, you have relatively modest growth, where you have had any growth," said J. William Elwin Jr., the director of professional development and training at Shearman & Sterling, a Manhattan-based law firm.

The demand is by no means even. Professor Heinz said there was a persistent surplus of lawyers who handle slip-and-fall cases, divorces and criminal defense. In a profession that gauges status finely and obsessively, he said, "some law schools supply one market and some supply others."

Nonetheless, he said, as firms that once hired everyone they needed from Harvard, Yale and Columbia claim an ever larger share of law graduates each year, students at the middle-to-top-tier schools are benefiting. That group includes Rutgers law school. This fall, employers went "deeper into the class" to fill their interview schedules, Dawne M. Smith, the placement director, said. She noted that many interviewers arrived with greeters, whose job was cordially pitching their firms.

Debra King, the placement director at Seton Hall University Law School, also in Newark, said, "Firms are turning to their so-called alternative schools, like us, not just the Ivies."

This fall, Ms. King said, at least three national law firms that "generally don't come over the river" came for on-campus interviewing. The school also had recruiters from firms in San Francisco and Palo Alto, Calif.

At Brooklyn Law School, the number of jobs listed with the career services office in 2000 increased 41 percent from 1998, said Joan A. King, the director of placement.

Ms. King said salaries at the smaller firms and government agencies that employ most Brooklyn graduates were also rising.

"Finally the D.A.'s offices are paying decently," she said. "That's a good side effect."

Still, at \$38,000 to \$47,500, the pay for those new graduates is about what the average city transit worker receives. Ms. Smith said one recent graduate, now working in a prosecutor's office, had sent an e-mail message that said, as Ms. Smith recalled: "I'm working for \$33,000 a year and I have \$76,000 in student loans. I can't do it."

Public-interest employers, the nonprofit organizations that for years have relied on the socially committed and self-sacrificing, drew 1 percent of 1999 graduates, down from 5.9 percent in 1986.

"You do see people taking firm jobs who wouldn't have a couple of years ago," Ms. Smith said. "And this used to be known as the People's Electric Law School."

More surprising to placement officials is the number of students forgoing judicial clerkships, despite their resume-enhancing value. Ms. Smith said that while 77 students in the class of 1998 took clerkships, in the class of 2000 she has counted a little over 40.

"I have judges coming out of the woodwork," she said.

While this market should foster happiness among law students -- Ms. King at Brooklyn spoke of "an overall sense of well-being" -- it has also created expectations that are easily disappointed.

"Some of them are very cocky," Ms. Smith said. "Then the student who

a colleague is making \$125,000."

News of salaries and much more is never farther away than the Web, where message boards like Greedy Associates (www.infirmation.com) report salary and bonus schedules and exchange advice ("take all the money you've hoarded and run") and commentary ("much of what I do is chimp work").

Derek Craig, a second-year student and member of law review at Rutgers, said that salaries were definitely a factor in drawing classmates to large New York law firms, instead of to government or the nonprofit sector. "I need to pay off my loans," said Mr. Craig, 29, adding, "What's really scary is the debt."

He explained that he had spent the three years before law school teaching English in Taiwan for "\$1,000 U.S. a month, tops."

Mr. Dugan, who is 24, agreed that six-figure salaries helped attract people to Manhattan.

"As much as this is an academic experience, I don't know one person who would say money isn't a factor," he said, though he is applying for clerkships and is not ruling out a job in government later.

Having been selected for the law review and the moot court board, Mr.

Dugan is among those who will have a choice. He received his first summer job offer in early September and ended up with five offers.

Kelso Anderson, 26 and another second-year student on the law review, said, almost apologetically, "I did have many offers" after interviewing with New York and New Jersey firms.

MR. ANDERSON, 26, who came to the United States from Jamaica 10 years ago, said the market "was certainly not what I expected," even though his sister practices law in Manhattan.

"I never knew I would be this fortunate," he explained.

Like many students, though, he said he worried that the good times might expire soon, perhaps before he finishes his one-year clerkship with a New Jersey Supreme Court justice. (As he enters this risk-averse profession, Mr. Anderson is taking a bankruptcy course.)

The market has heated up and then frozen before. When Ms. Smith graduated from the University of Pennsylvania in 1996, big firms could

10 lawyers and \$97,000 in firms of more than 500.

The biggest firms, meanwhile, are hewing to certain status lines in law school recruiting.

"As desperate as we've been, we're just now talking about putting our toe into the second tier," said a manager at a Manhattan firm.

Like most partners and recruiting managers, this one would speak only on condition of anonymity. As Ms. Smith said, "Who's going to want to go to a firm that can't find anybody?"

<http://www.nytimes.com>

GRAPHIC: Photos: SUPPLY SIDE -- From left, Kelso Anderson, Derek Craig and David Dugan, all second-year students at Rutgers School of Law in Newark, are enjoying the luxury of fielding many summer job offers. The high salaries are also a "nice surprise," Mr. Dugan said. (Photographs by Nancy Weward for The New York Times); ABOUT-FACE -- Placement directors, like Dawne M. Smith of Rutgers, have seen many law students forgo judicial clerkships to work for firms.

Graph: "A Lawyer's Market"
The number of new lawyers has not kept pace with the demand for legal services, so salaries keep climbing.

Graphs tracks law school graduates, nationwide and median starting salaries for law school graduates in 1999 dollars since 1985.
(Source: American Bar Association; National Association for Law Placement)

LOAD-DATE: January 30, 2001

A Congress with



Once they put down the law, the Republicans went after the lawyers. In the recent battle over changes in the legal system, they cast zealous trial lawyers as responsible for excessive litigation, ignoring suggestions that perhaps some American manufacturers needed to be held accountable for the production of faulty products. Mr. Gingrich, who

likes to polarize debates along moral lines, demonized trial lawyers at every opportunity as greedy, rich and selfish; in the end, his side won.

Judges, too, have become fair game. In March, Mr. Bono, the anti-lawyer hero, introduced his first piece of legislation. It is a bill that would reduce the ability of Federal judges to determine the constitutionality of state initiatives that voters had approved. California's Proposition 187, the one dealing with immigration, has been tied up in court since voters approved it in November, and Mr. Bono wanted it implemented ~~post haste~~

it. Why let the court's interpretation of the Constitution stand in the way?

Legislators' Own Brushes With the Law Help to Shape Legal Reform in Congress

3-23-95 B1 cols 4-6

By RICHARD B. SCHMITT
Staff Reporter of THE WALL STREET JOURNAL

Legal reform has struck a chord with Sonny Bono, the former singer turned Republican congressman from California. As mayor of Palm Springs, Calif., he found it very frustrating that the city was such an easy target for opportunistic lawyers. Questionable claims were routinely settled, he says, because the costs of going to trial were so great.

At a hearing last month of a House

means no one can be accused of having any blatant conflict of interest. (The House approved an extensive package of changes earlier this month, and the Senate, which started hearings on the issue yesterday, is expected to vote on its version of the legislation later in the spring.)

Nonetheless, critics worry that legislators' experiences may further muddy a debate that already involves misleading TV ads and self-serving anecdotes from lobbyists on both sides. The added emphasis

Savings & Loan Association, North Riverside, Ill., "baseless" and "very unfair." But the lawmaker says his concern about lawsuit abuse long predates his own experience. "It didn't make me pro-plaintiff or pro-defendant," he says of the suit. "It is just one of the unfortunate side effects of being in public office."

Sen. Bond says he fully supports trying to cut down on "unnecessary litigation,"

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[redacted] . [redacted]

Privacy Isn't Everything

Handling the Client Interview With Third Parties Present

and stress the importance of the interview to the client as well as third parties. Tell the third party that they're certainly welcome, but their presence in your office during the interview may subject them to subpoenas by the adverse party later. There may be times when you'll

By Jennifer J. Rose

IN CERTAIN domestic relations cases, it is wise to forget the hard-and-fast rule about a private interview with your client. Not until a recent client told me he'd positioned his appointment in my office between a root canal and a visit to the proctologist did I realize my place in his world. The prospect of talking about his divorce mortified him.

While most of us expect private matters like a trip to the OB-GYN to be between physician and patient, this isn't always the case with divorce clients. Many need to bring in back-up troops, or at least an aide-de-camp. Learn to deal with these third parties instead of sending them away.

Some clients simply won't talk

them. Usually, the very young, emotionally insecure, old, uneducated and handicapped require accompaniment to the office. When those clients bring a friend or parent with them to your private office, after greeting all, gauge the prospective client's ability to handle the interview without third-party assistance. Often, the friend or parent can supply useful information or even bolster the client's commitment to following your advice. In other instances, however, the third party attempts to "call the shots."

Make clear to your client who's in charge. When your client insists that the boyfriend or relative knows everything anyway and that the

need to exercise judgment and authority in demanding that client conferences take place between attorney and client only. Experience will enable you to develop a "sense" of when third parties are appropriate and helpful and when they're a hindrance, e.g., children, overinvolved paramours or overbearing parents.

Don't get frustrated by the presence of "extras" during the initial interview. After you've established rapport with the client (and have been hired), use the second interview to enable the client to divulge the nitty-gritty of client confidences. Furthermore, the third party will often be your source of funds. Don't alienate third parties, but make certain they understand their role in the client's case.

Finally, you are marketing yourself

Avoiding High-Demand/Low-Return Clients

Continued from Page 3
client has paid all of his or her other expenses, including discretionary spending. Permitting the client to assign such a low priority to payment for legal services has the unintended effect of further devaluing those services. As a consequence, the client is likely to perceive the lawyer's time and services as of little value. Not only will the client be reluctant to pay the bill, but the client will feel no compul-

sion to cooperate with the lawyer on other matters and will fail to grasp the importance of any lawyer-client team effort.
The amount of the monthly payment must be within the range of what the client can objectively afford to pay, with due regard to the priority which should be assigned to legal services in the context of the client's monthly living expenses. Inevitably, the client will be required to cut back on some-

thing in order to make a payment for legal services. This client will give greater attention to the value of the services and how to best utilize the lawyer's time to get the client's money's worth. He or she will be less prone to initiate unnecessary contacts with the lawyer or to make demands for nonessential activity. At the same time, the client is more likely to see the importance of working in a supportive and cooperative manner with the

Red Flags Signaling That Perhaps You Should Not Take the Case

BE ON guard when a prospective clients says any one of the follow-

"This should be an easy, inexpensive case. Since I have some

lawyer to resolve the client's problem in the most cost-effective manner possible.
The client whose spouse will be required to pick up the tab, or who will pay the bill out of the settlement at the end of the case without making any payments in the interim from his or her own funds, is likely to view the

Avoiding High-Demand/Low-Return Clients

done, e.g., “what a good brief!”? Does it ruin your day when a client for whom you have successfully performed a particularly difficult bit of lawyering telephones, not to thank you, but to nitpick about nearly every charge on the detailed itemized statement that you have just sent to the client for payment? Think of the effect upon the average lawyer’s caseload of the presence of these two types of clients, particularly when they occur in multiples. It doesn’t take many negative nitpickers to appreciably impede the lawyer’s productivity. On the other hand, the client with sufficient maturity and sensitivity to understand that the client’s cause is well served by supporting and

good, bad or indifferent. The client who greets any news which is not overwhelmingly favorable with a hostile diatribe is actually undermining the attorney-client relationship. While it is certainly true that everyone needs to vent from time to time and most lawyers are willing to be forgiving of the occasional misdirected outburst from a client, the client who is prone to verbal attacks on the lawyer is a very dangerous client to have for a number of reasons. First, having to cope with such behavior adds stress and inhibits productivity. Even more insidious, however, is that it encourages the lawyer to avoid talking with such clients if at all possible to delay the

tice that the client has, however inadvertently, set the lawyer up for. The time to terminate such an attorney-client relationship is right away, but in any event, before the lawyer reaches the point where it is very difficult to work on the case.

But What Have You Done For Me Today?

The client whose divorce case is so all-consuming that the client is unable to concentrate on anything else is a real millstone. Very few clients can afford to be their divorce lawyers’ only client and the few who can afford such hovering representation do not want it. The client who demands constant activity and daily communication with

Avoiding Clients

Continued from Page 5

been resolved, that does not necessarily mean that new activities should be generated in the case. The client must understand that, sometimes, the best thing to do from every standpoint is nothing and that permitting time to

How to Say 'Goodbye' to a Client And 'Thank You' for a Referral

IT IS WISE to formalize the end of the lawyer-client relationship with a "disengagement letter." Clearly and unequivocally, let the client know that the attorney-client relationship, at least for this case, is terminated.

Marsha Kline Pruett & Tamara D. Jackson, The Lawyer's Role During the Divorce Process: Perceptions of Parents, Their Young Children, and Their Attorneys, 33 Family Law Quarterly 283 (1999).

- I. Introduction: Assumptions in the literature.
 - A. The Culture of Litigation and Its Impact on Families

B. The Attorney's Role in Divorce

II. Research Results on Perceptions of Parents, Children and Attorneys.

- A. Participants: *41 parents, 22 children and 28 attorneys* in study and kids play divorce.
- B. Interview Protocols and Procedures.
 - 1. Interview Protocols.
 - 2. Procedures.

C. Parental Perceptions of Attorneys.

- 1. Favorable Perceptions: Parents appreciated when their atty gave them direction, stood up for them, and were persistent w/ the ct. or the other party on their behalf.
- 2. Unfavorable Impressions:
 - a. 24% of parents said that no aspect of the legal process helped bring

about resolution, with the most prevalent feelings being that the process left parents out of the decision-making and fueled anger and

D. Children's Perceptions of Attorneys

- 1. One child said L was a lady w/ teddy bears who I can talk to, because mom and dad don't tell the truth all the time anymore. She does

- 2. But more often children see Ls as pirates, vampires, or wolves who scared children and stole from their homes. Ls break up their homes, and they are people "who lie a little bit to help you win--it's someone you can buy." They don't help mom and dad stay friends.

E. Attorneys' Perceptions of Their Role.

- 1. They blamed other party for difficulties in negotiations because they were unrealistic or unreasonable.
- 2. Other Ls were not competent, could not control clients, and tried to bring in big guns when inappropriate.
- 3. 1/3d thought system okay and a necessary evil; 2/3d thought not good, but finances central. Individualized system costs \$.

F. Suggestions to Attorneys.

- 1. Parents.
- 2. Children: want to reunify and to have parents remain friendly. Anything opposed to that hurts.
- 3. Attorneys.: ADR, H & W talking w/o Ls, control over unreasonable clients and Ls.

III. Summary and Conclusions.

Note: There is a comment that I don't have. Louis Parley, Attorney-Client Communications: Now What Is It Exactly That We Are Supposed to Tell Them? 33 Fam. L.Q. 311 (1999).

Court appearances

FIGURE 1 pp. 898 - 900

MULTIDIMENSIONAL SCALOGRAM ANALYSIS OF TWENTY-FIVE

FIELDS OF LAW ON TWELVE SELECTED VARIABLES

Lowest
prestige;
alone or
small

Personal Injury

Highest
prestige;
large
law