

1979

Is Your Career on Target?

Gary A. Munneke

Pace Law School, gmunneke@law.pace.edu

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Recommended Citation

Gary A. Munneke, *Is Your Career on Target?*, 6 *Barrister* 15 (1979), <http://digitalcommons.pace.edu/lawfaculty/525/>.

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Alfred Gescheidt

For George, the thought of getting up each morning and going to work was almost unbearable. His job lacked meaning; there was no personal satisfaction in the work he did, no incentive to perform well. There was no future. Like many thousands of other lawyers each year, George was rebelling by seeking a new career. What set him apart from other attorneys was that he had been a partner with the same prominent law firm for the last 25 years. Many lawyers would have given anything to have George's job, or even to work for George's firm.

Like Sally. After graduating from law school she had spent months interviewing for a job without success. She finally found a sole practitioner who needed an associate. Sally got paid a percentage of the fees she billed, a livelihood that fell far short of her law school expectations. And she felt that her work could have been done by an average third-grader. So Sally was moving on too.

These are two cases from the files of a career counselor, but they are not unusual. Although many lawyers are challenged and satisfied with their work, many others are frustrated and unhappy. Some, like George and Sally, are turning away from traditional legal careers; too many other attorneys suffer in silence.

There is a myth in the legal profession that lawyers keep one job throughout their legal careers. If this were ever true, which is debatable, it certainly is not today. The average lawyer will hold 5-8 jobs in the 40 years between law school graduation and retirement, and a high percentage of attorneys will make at least one major career change in their lives.

Evidence of rampant job dissatis-

faction in America is easy to find, from Johnny Paycheck's hit song, "Take This Job and Shove It," to Johnny Carson's complaints to NBC that the lack of challenge—and not money—prompts him to consider employment elsewhere. Author Studs Terkel, a lawyer himself, suggests in his book *Working* that job dissatisfaction is pervasive in our society. People don't seem to be happy in their present positions; they are all on the road to somewhere and just passing time in their present circumstances.

It is clear that lawyers are not alone. However, it would be unwise to assume that dissatisfaction in the legal profession is totally a product of our changing times, sunspot activity or some other global witchcraft.

In many ways the legal profession is unique. The dissatisfaction of lawyers with their professional lives can be explained, if not totally understood. One answer to the problem of job dissatisfaction may lie in the kinds of alternatives to the practice of law that will be described later. A caveat is in order, however: dissatisfaction is the stuff that progress is made of, that careers grow on, that futures are built with. Find a man or woman who is completely happy in a job and you will find someone who has no dreams. Each of us is, in one sense, always in the job market. There are very few who would not leave what they are doing for some golden opportunity.

John L. Holland, one of America's foremost career theorists, explains that high levels of job dissatisfaction, or "dissonance" as he calls it, usually produce one of three responses: to change ourselves, to change our environment or to leave the environment. When we change ourselves we accept

Is Your Career on Target?

If the answer is even maybe,
you should consider an alternate career

by Gary A. Munneke

*Assistant dean, director of placement,
University of Texas School of Law*

whatever it was that was bothering us. When we change the environment we eliminate the offending problem. If we can't do that we look for something new. For instance, if a lawyer is told he will not be made a partner in his law firm but can stay as an associate, he will either accept the decision, attempt to prove that he should be made partner or pull out an old resume and start to revise it.

Career decisions are almost always complex ones involving many considerations. Factors such as the employability of the individual in the marketplace, tolerance for the bad situation, willingness to assume a risk and the need for security inevitably weigh heavily in the equation. Every year thousands of lawyers change jobs. In many of these instances the transition is smooth, but often the change is difficult and painful. Sometimes it is destructive.

GETTING TO THE BOTTOM OF LAWYER DISSATISFACTION

What are the roots of lawyer dissatisfaction? The Young Lawyers Division has sponsored two seminars on "The Job Changers" during the past six months. Participants at these programs, led by career counselors from law schools in the National Association for Law Placement (NALP), reported a number of reasons for wanting to change jobs. The most commonly named was that their present employment did not utilize the skills they believed they possessed as lawyers. It is important to note that most of these people held legal jobs at the time of the seminars. A second cause of dissatisfaction was low salary and/or a perception that the position had "no future." A third complaint was unpleasant working conditions, including conflicts with supervising attorneys.

These indices of dissatisfaction differ from those reported in a recent survey by the California Young Lawyers Association. The CYLA study uses the term "underemployed," which it applies to the lawyer who: 1) is practicing law and does not have enough legal work to stay busy full time, or 2) is employed in a nonlegal position, having been unable to obtain a legal one.

The term "underemployment" is simply too subjective to be useful in discussing job dissatisfaction. How many lawyers would call themselves

underemployed whose jobs others would consider ideal? How many of those without enough legal work do not operate an efficient law office, or have not learned to attract and keep clients?

THREE REASONS FOR TRAVELIN' ON

These questions are not intended to criticize the California study, but rather to focus attention on specific job-related factors that have a major bearing on whether one will be happy in a job or seek a new one. The three reasons articulated by participants in the Job Changers programs focus on situations where a lawyer would be willing to make a job change whether he is in a legal or nonlegal job.

The first complaint—not using the skills one possesses or learns in law school—is most critical. Holland, in *Making Vocational Choices*, presents the theory that individuals tend to like what they succeed at, and that they will succeed in the future in activities utilizing the same skills and activities they have succeeded at in the past. In other words, career changing ought to involve careful evaluation of past job behavior to determine competencies that will most likely produce success in a new situation.

Having the feeling a job contributes to a positive direction in one's career is essential to self-concept and job satisfaction. Jobs perceived as "dead ends" or as "unchallenging" usually become former jobs of employees who can neither change them nor accept the status quo. Salary can influence whether a job is considered to have a future. In these times of rapid inflation, a low-paying but rewarding job is more likely to be perceived as lacking a future. There is evidence that lawyers' median income is dropping and, although this can be attributed partly to the large increase in new lawyers who are at the low end of the pay scale, it appears likely that the average-salaried lawyer is not winning the fight against inflation. Advertisements of cut-rate legal fees and increased competition have not helped attorneys in this fight.

Working conditions are another factor often mentioned in lawyers' decisions to leave their jobs. Everything else may be fine, but if you hate your co-workers, your clients or your surroundings, you have to go. Connecticut psychologist and Yale Law School

teacher Dr. Robert Redmount, speaking to the Annual Meeting of NALP, suggested that the legal profession on the whole abandons humanistic values in treatment of lawyer employees, and that concern for the individual's job satisfaction and career development is often neglected. Whatever the reasons for job dissatisfaction, it is undeniable that it is common and frustrating to the lawyer who experiences it, particularly if he does not know where to turn. This need not be so.

UNLIMITED HORIZONS

The number of careers open to persons trained in the law is virtually unlimited. There are legal considerations in every form of human endeavor in this complex world. Even when the work cannot be said to constitute "practicing law" in the sense of giving legal advice to clients, a lawyer working in a field outside the law will be dealing with the interface between the law and that field. Legal skills undoubtedly give the lawyer a much better ability to manage this interface than the nonlawyer.

In a broader sense, it is probably true that such legal skills as spotting issues, analyzing problems, conducting research and persuading others can be useful in almost every job. However, A. Kenneth Pye, chancellor of Duke University and former Duke Law School dean, in his article "Meeting the Needs for Legal Education in the South" wrote, "In one sense, society's need for lawyers is immaterial to the issue of whether more lawyers should be educated. Those who regard law as a humanistic discipline will find value in educating all who are qualified without regard to the vocation they will ultimately pursue. The vast majority of law students go to law school because they desire to practice law. . . . [H]owever, relatively few people go to law school for the purpose of broadening their perspective on life or as a general background for other ventures. . . . To train lawyers to fill positions which can be adequately performed by persons with bachelor's or master's degrees is a misuse of resources. . . ."

Chancellor Pye understands that most people do not go to law school with the expectation that they will do something totally unrelated to law. Projections of the annual NALP Employment Survey, the 1971 Lawyer Statistical Report and the U.S. Depart-

ment of Labor, Bureau of Labor Statistics, all confirm that the majority of law graduates and lawyers enter and continue to practice law throughout their careers. Private law, corporate, government and legal services practice account for the bulk of the bar, although there are a number of other groups such as military, labor union, educational institution and public interest lawyers. These people usually must be licensed to do what they do: go to court, give legal advice, prepare legal instruments and negotiate legal agreements.

Lawyers whose activities do not constitute practicing law are often described as working in nontraditional or alternative careers. Such terminology is unfortunate because it implies that these positions are second-rate. NALP has undertaken a massive study of these areas and calls its effort the "Career Options Project," leaving the nonlegal and law-related work to be described simply as "options." NALP is planning to prepare materials on a wide array of career options for pre-law students, law students and lawyers.

It is beyond our scope here to describe in detail all the career options available to attorneys. The most recent NALP Employment Survey for the Class of 1978 identified 105 nonlegal jobs accepted by law graduates. The opportunities described are as real for the career changer as for the recent graduate. In its new booklet, *Non-Legal Careers: New Opportunities for Lawyers*, the Standing Committee on Professional Utilization and Career Development of the American Bar Association describes more than a dozen non-traditional career areas for lawyers and provides information on how to find and get a nonlegal job. Those who wonder if law practice will be satisfying for them, or who no longer feel excited about their legal jobs should ask the question: "Can my skills be better used in a different field?" If so, it might be time to consider something new.

KNOWING WHAT'S OUT THERE IS THE FIRST STEP

Nonlegal positions for lawyers may be in a variety of organizational settings. Many are in business and industry, at all levels of the corporate structure. They are in government—federal, state, local and multinational. Some are in quasi-governmental private as-

sociations or corporations. Many positions are in private associations, including professional organizations. They are in educational institutions, both public and private. In some instances the jobs discussed below will be unique to one area such as corporations; in others they will be found in varied organizational settings.

Administration and Management. Business administration and management provide a variety of opportunities for attorneys. These positions may be found in corporations, in government at all levels and in private associations. In large corporate concerns there are often formal in-house training programs. However, the trend in business today is for the small business to hire a lawyer/manager. Organizations attempting to reduce skyrocketing legal expenses, but not large enough to consider developing an in-house legal department, often seek lawyers with some business experience to fill management positions with limited "legal advisory" functions. Banks, insurance companies, industrial companies and other businesses will consider individuals trained in law who have a background in or demonstrate a facility for managerial work. There is an old adage that you can always teach business to a JD but you will never teach law to an MBA. Management or public administration posts in government are often filled by lawyers, as are positions as managers and directors of many private associations. This group includes bar associations and law firms.

Money Management. When one thinks of money management, banks and accounting firms come to mind. Commercial banking and public accounting have attracted many qualified lawyers over the years. Accounting firms frequently recruit alongside law firms at law schools, though partnerships in CPA firms are restricted to holders of the CPA certificate. However, it is possible to complete the CPA requirements after graduating from law school. Banks frequently hire lawyers to work in their trust departments, although assignment to commercial banking is also a possibility. Brokerage houses and investment firms have been known to employ lawyers, although this is a less common practice than with banks and accounting firms. Fund-raising positions, which often involve coordinating deferred giving programs, are filled from

time to time with lawyers, especially those with experience in estate or trust work. Fund raising takes place in the corporate setting, the educational institution, the private foundation and the political arena.

Planning, Organization. Planners are found everywhere, although it is not always possible to tell where they have been after they have left. The fields of systems analysis and professional consulting call for considerable expertise in the substantive professional area. The legal problems faced by planners attempting to integrate new ideas into existing systems make legally-trained persons valuable in this area. While many planning positions are in the public sector, there also are opportunities in the private sector.

Insurance. Insurance is mentioned as a separate category because it is such a large industry. Positions for lawyers outside the general counsel's office are primarily in three areas: sales, plan management and claims adjustment. Insurance sales can be lucrative work, but it is not a job for everyone. A number of insurance companies recruit attorneys as sales representatives to handle complex benefit plans and insurance programs for corporations, partnerships and professionals. Plan management is a term intended to describe everything done by the insurance company in its home or branch offices to administer its accounts. Claims adjustment is perhaps the least euphemistic of the job titles used in this article. These positions have in the past provided limited future opportunities for lawyers, although claims work can be a stepping stone to other opportunities in the company.

Administration of Justice. Most lawyers view the judicial system as comprised mainly of lawyers and judges. However, there are a great many opportunities for lawyers who do not practice law in the justice system. Judicial administration includes court administration—such positions as permanent court clerks, administrators and court reporters. It also includes the broader area of criminal justice administration. There are lawyers involved at almost every level in positions other than as advocates. Fields such as prison or parole administration may require other specialized training than that provided by law

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school, but fields such as law enforcement do not.

Numerous police departments use in-house legal advisors who educate officers on legal issues. Some law graduates go into law enforcement as officers or agents (e.g., with the FBI). Private investigation is a related field and there are actually a few lawyers around who find it more exciting and rewarding to be Paul Drake than to be Perry Mason.

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estate after years of practicing law when they realize that their clients are making all the money. Some lawyers make the change gradually, others just quit their law practices. Real estate sales and development are two highly visible fields, and both represent highly risky, highly competitive but potentially lucrative work. Less visible are title companies. It is ironic that in many states practicing lawyers have complained that title companies have stolen their business, and now title insurance companies are being taken over by lawyers. Another growing career area in a world of limited energy is mineral land management and petroleum land management.

Legislative Work. More legislators are lawyers than any other professional group. The same is true of their aides, research assistants and paid campaigners. Former legislators and lawyers often become involved in lobbying for the multitude of organizations trying to influence legislation. Need more be said?

Communications. The skills of lawyering (writing, speaking, persuading) are the same skills required of individuals in the communications field. Some of the areas where lawyers have been successful are writing, publishing, broadcast and print journalism, acting, filmmaking, advertising and public relations. While communications careers are attractive to many people, the opportunities are limited, and a strong background in the communications field or personal contacts plus some good luck will undoubtedly be necessary for one to "break in."

Educational and Academic Positions. A vast area of opportunity for lawyers is in education and education-related pursuits. While educational positions are not likely to be high-paying, the freedom and creativity fostered in the educational setting combine to strongly attract many lawyers. Teaching positions immediately come to mind—not only in law schools but also in universities, community colleges and secondary schools—in legal subjects as well as others. Competition for the most prestigious teaching jobs is keen, and, increasingly, practical experience after law school is required.

Administrators—who may or may not be teachers, or may or may not be in law school—are involved in such varied responsibilities as student personnel administration, placement, admissions, financial aid, alumni affairs,

academic counseling and Continuing Legal Education (CLE). The CLE field has grown dramatically in the last 10 years, with practically every law school and bar association as well as many private organizations getting into the act. If mandatory CLE for lawyers ever becomes a reality throughout the nation, CLE jobs will become even more common.

Education also includes librarianships, research and publishing jobs. Law librarians who possess a JD and a master of library science degree can find work in any of the country's law schools, in many courts and government offices and in an increasing number of law firms. Professional research groups and law book publishers round out the academic positions.

A discussion of career alternatives for lawyers would not be complete without mentioning the entrepreneurs. There are countless stories of lawyers who have entered business on their own and succeeded. Perhaps it is the tradition of hanging out a shingle or the independent nature of many who choose to go to law school. Perhaps it is the recognition of opportunities or contacts made during years of practicing law. Whatever the reasons, there are enough lawyers who strike out in business on their own that the possibility should be mentioned to potential career changers.

This has been a quick overview of some of the careers pursued by lawyers who don't practice law. It should be remembered that one lawyer's meat is another's poison, and all these jobs will not appeal to everyone. Moreover, this list is not intended to be inclusive of all the work that lawyers perform, but to suggest options for the lawyer who has not found happiness practicing law, and the law student who for whatever reasons does not want to practice law. People who work in these areas do so because they want to and not because they have to. Nonlegal jobs provide a future for the Georges and Sallys of the legal profession who are searching outside the conventional practice of law.

Jay Carlisle, assistant dean of Pace University in New York, wrote in a February 1978, *New York State Bar Journal* article, "We should disabuse our students of the notion that everyone with a law degree must practice law." The same could be said about lawyers who are already practicing law. So try it, you may like it. B