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Gary A. Munneke
Pace Law School

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The Truth About Jobs for J.D.s

In an excerpt from the latest book in the ABA Career Series, the author reminds law students to open themselves to a variety of employment possibilities

BY GARY A. MUNNEKE

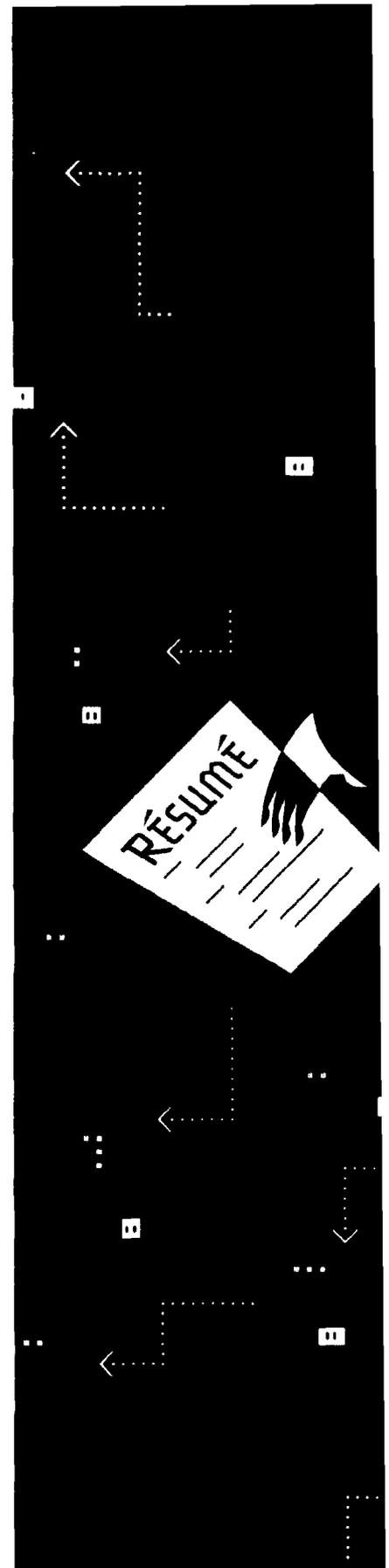
Every year, law students return to the halls of America's law schools. The first-years begin their studies full of enthusiasm, aspiration, and idealism. The second-years have hunkered down to the pragmatic concerns of signing up for fall interviews or, in the case of those whose marketability took enough of a hit with first-year grades, scrambling for alternatives or getting involved in activities that will restore a patina to their tarnished résumés.

The third-years, if they have not yet gotten the job offer of their dreams, are beginning to feel the pangs of panic that somehow they will never, ever get a job. Although many students will find employment along the way, some of these students will experience a crescendo of fear that escalates through graduation, the bar exam, and the months waiting for results.

Here is the good news: Almost all of you will find work. Some will do it sooner than others; some will get more money than others; some will find jobs with more prestige than others; some will be happier with where they land than others. That's life. Deal with it.

The fact is that for more than 25 years, the National Association for Law Placement (NALP) has surveyed the nation's law schools and reported that more than 90 percent of those seeking employment find it within approximately six months of graduation.

Anecdotally, I can attest to the fact that many others whose employment is not captured by NALP do have jobs. I know, because I talk to my own students who have recently graduated, and I assume that the experience of my students is not different from the experience of students at other law schools.



The fact that you will ultimately find a job does little to assuage the nagging fear in the minds of many law students that they will be the ones left out in the cold, \$100,000 in debt and panhandling outside Grand Central Terminal just to stay alive.

The truth that lawyers are an adaptable lot who will find ways to succeed—so if some graduates end up penniless and forgotten, it will not be the lawyers—is little comfort when the one person who matters most to you—you—does not have a job. The reality that all your pounding of the pavement will eventually pay off will not eradicate the knot in your stomach that tightens up every time you call an employer for an interview.

These are the pressures of the process, and they go away only after you graduate, pass the bar, settle in behind your new desk, and cash your first paycheck. Trust me on this one. Even the golden ones, running around with 20 job offers from fall interviews, will experience significant levels of stress going through the process.

Actually, the real danger is not that you will fail to find a job, but that you will find the wrong one. On this account there is some reason to be concerned. A high percentage of law graduates change jobs within the first two years of graduation, and the phenomenon of lawyers who go to work with one firm and stay with that firm throughout their careers has become practically nonexistent.

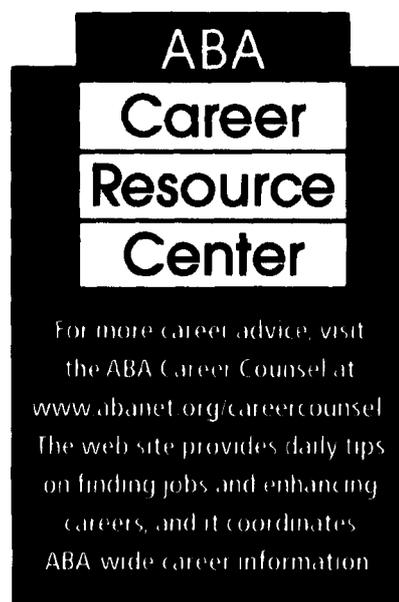
Part of the problem is that until you actually try something, it is difficult to know if you will like it. No amount of hypothecating and planning can replace the experience of working in a job day after day.

I remember a student named Liza. Liza had a strong academic record in law school, was well liked by classmates, and was an articulate communicator. She wanted to make sure that she made the

Gary A. Munneke is a professor at Pace University School of Law in White Plains, N.Y. He has held various leadership roles with the American Bar Association, its Law Practice Management Section, and the National Association for Law Placement.

right career choice, so she read all the books she could locate, talked to everyone she could, took all the personality inventories and other tests she could find, and put in the requisite introspection to come up with a perfect career plan.

Everything Liza studied told her that she should find an in-house counsel position with a major corporation and handle transactional matters. She was particularly drawn to the energy field, so she sent out her résumé and signed up for campus interviews with oil, gas, and related companies. Her efforts were rewarded with what appeared to be on paper the “perfect job.”



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For more career advice, visit the ABA Career Counsel at www.abanet.org/careercounsel. The web site provides daily tips on finding jobs and enhancing careers, and it coordinates ABA wide career information.

To make a long story short, Liza hated the job and quit after six months. While she was unemployed, a friend of hers working in the district attorney's office told her that the DA needed to hire some temporary lawyers because of a backlog of cases. Liza decided to do it because she needed the cash, even though the one thing all her planning had told her was to stay away from litigation. To the surprise of everyone, especially Liza, she loved it. She applied for a permanent job in the office, was hired, and went on to a successful career as a criminal prosecutor.

An even bigger challenge for law students is that there are so many things you can do with a law degree. The American Bar Foundation Lawyer Statistical

Report says that just over 60 percent of the slightly less than 1 million lawyers in the United States engage in the private practice of law, either in law firms (as owners or employees) or as sole practitioners. In contrast, in 1950, 80 percent of the 220,000 lawyers at that time were in private practice, and 70 percent of those were solos.

These statistics suggest that during the last 50 years of the 20th century, there were significant shifts in the demographics of the lawyer population. Doing some quick math, we see that in 1950 just over 40,000 legally trained individuals worked outside the practice of law; today the number approaches 400,000, almost a tenfold increase. Furthermore, the ABF figures are drawn from the Martindale-Hubbell Law Directory records, which account for just over half of all law school graduates. It is easy to surmise that the majority of law school graduates do something other than practice law.

Marketplace realities

Why do we care? First, you should recognize that it is very likely that you will at some time during your career do something besides deliver legal services to clients through a law firm. In order to get into the right mind-set for beginning the career planning process, you need to acknowledge the realities of the marketplace for lawyers, as opposed to the marketplace for law firms. If you focus only on the private practice of law, you will inevitably draw your horizons too narrowly.

Unfortunately, the law school culture does little to encourage you to think broadly about careers in law. From the first day of law school until graduation, you will encounter a bias—sometimes subtly implied, sometimes stated outright—that you are somehow not a success unless you go into private practice. In fact, in some circles you may get the feeling that unless you go into litigation, you are somehow less than legally whole—real lawyers try cases, don't they?

You will get this from your professors, from your classmates, from your family, from the career services office, and from the law firms themselves: The investment of three to four years of your life and lots of money have been expended

to prepare you for this one great calling—to practice law. Like a thoroughbred trained for the Kentucky Derby, you owe it to yourself to pursue private practice first. If that doesn't work out, then you can try something else.

Maybe this was true in 1950, but it isn't so today. Certainly, many law graduates (an estimated 20,000 annually) enter the private practice of law—most as as-

remnant of the professional monopoly, but in many jurisdictions the willingness of people to represent themselves pro se produces inroads into litigation practice.

What is sometimes overlooked is that it is not lawyers who are losing the business—it is the law firms. If you look at the banks, real-estate companies, e-lawyering Internet startups, and accounting firms, who do you think you

With the advent of web sites like Expedia and Travelocity; hotel, car-rental, and airline web sites; and other online tools, travel agents have lost a major chunk of their business.

Are we as lawyers comfortable in saying, "It could happen to the travel agents, but it could never happen to us. We're so special and our services are so unique that we are simply not prone to the same economic forces that ravaged the travel industry. Right?" If you believe that one, I have some great desert real estate I would like to sell you.

In times of transformational change, an omnipresent economic Darwinism governs the marketplace. Less efficient service providers will be supplanted by more efficient ones. Natural selection will dictate that organizations with favorable adaptations will survive, while those with inefficient adaptations will die out. In such an era traits of adaptability, strategic visioning, innovation, and creativity will be worth more than market dominance from an age that no longer exists.

An old Chinese proverb says, "May you live in interesting times." Well, these times are interesting. There are no certainties about the future, and making career choices today is risky. You could cast your lot with a law firm that looks great on paper and find it out of business the week after you go to work.

On the positive side, in this complex, interconnected, global, and changing society, people are confronted with legal problems in everything they do. As long as there are legal problems, society will need people with legal training. 

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sociates in law firms. For many, but not all, of these graduates, private practice is a good career choice. This is not a diatribe against private practice. It is merely a statement that legally trained individuals can and do work in a variety of settings, and that private practice is not for everyone.

With the turn of the millennium, change has accelerated in the legal profession. New experimental models for delivering legal services are appearing. Many nonlegal organizations, such as accounting firms, banks, real-estate companies, financial planners, and dot-com enterprises are providing services that in past decades were offered exclusively by lawyers. Alternative dispute resolution mechanisms, such as mediation, arbitration, private judges, and dispute-resolution rooms on the Internet, to name a few, compete with traditional litigation as viable approaches to problem solving. Multidisciplinary firms in many parts of the world offer integrated professional services, "one-stop shopping" for business solutions.

Not only are law firms not the only game in town, but they also do not hold all the cards. It has become increasingly difficult to prosecute nonlegal service providers for the unauthorized practice of law. There is no bright line separating the practice of law from business advising with legal implications. Perhaps the right to represent others in court remains as a

will find working in the legal side of the business? If you guessed lawyers, you are right. Every year, more law school graduates choose these so-called nonlegal careers, and, increasingly, lawyers leave the private practice of law to utilize their legal skills in one of these alternative arenas.

In an era of change, legacy does not necessarily dictate consumer choices. Clients will not go to a law firm because their parents did. They will make choices based upon their perceptions of who provides the best service at the best price. Look at travel agents. Before the Internet came along, they were complacent in their role of helping travelers arrange transportation, lodging, and amenities.

