

Lawyers

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Significant Points

- Formal educational requirements for lawyers include a 4-year college degree, 3 years in law school, and the passing of a written bar examination.
- Competition for admission to most law schools is intense.
- Demand for lawyers will be spurred by the growth of legal action in such areas as health care, intellectual property, international law, elder law, environmental law, and sexual harassment.

Nature of the Work

The legal system affects nearly every aspect of our society, from buying a home to crossing the street. Lawyers form the backbone of this vital system, linking it to society in myriad ways. For that reason, they hold positions of great responsibility and are obligated to adhere to a strict code of ethics.

Lawyers, also called *attorneys*, act as both advocates and advisors in our society. As advocates, they represent one of the parties in criminal and civil trials by presenting evidence and arguing in court to support their client. As advisors, lawyers counsel their clients concerning their legal rights and obligations and suggest particular courses of action in business and personal matters. Whether acting as an advocate or an advisor, all attorneys research the intent of laws and judicial decisions and apply the law to the specific circumstances faced by their client.

The more detailed aspects of a lawyer's job depend upon his or her field of specialization and position. Although all lawyers are licensed to represent parties in court, some appear in court more frequently than others. Trial lawyers, who specialize in trial work, must be able to think quickly and speak with ease and authority. In addition, familiarity with courtroom rules and strategy is particularly important in trial work. Still, trial lawyers spend the majority of their time outside the courtroom, conducting research, interviewing clients and witnesses, and handling other details in preparation for trial.

Lawyers may specialize in a number of different areas, such as bankruptcy, probate, international, or elder law. Those specializing in environmental law, for example, may represent public-interest groups, waste disposal companies, or construction firms in their dealings with the U.S. Environmental Protection Agency (EPA) and other Federal and State agencies. These lawyers help clients prepare and file for licenses and applications for approval before certain activities may occur. In addition, they represent clients' interests in administrative adjudications.

Some lawyers concentrate in the growing field of intellectual property, helping to protect clients' claims to copyrights, artwork under contract, product designs, and computer programs. Still other lawyers advise insurance companies about the legality of insurance transactions, writing insurance policies to conform with the law and to protect companies from unwarranted claims. When claims are filed against insurance companies, these attorneys review the claims and represent the companies in court.

Most lawyers are found in private practice, where they concentrate on criminal or civil law. In criminal law, lawyers represent individuals who have been charged with crimes and argue their cases in courts of law. Attorneys dealing with civil law assist clients with litigation, wills, trusts, contracts, mortgages, titles, and leases. Other lawyers handle only public-interest cases—civil or criminal—which may have an impact extending well beyond the individual client.

Lawyers are sometimes employed full time by a single client. If the client is a corporation, the lawyer is known as "house counsel" and usually advises the company concerning legal issues related to its business activities. These issues might involve patents, government regulations, contracts with other companies, property interests, or collective-bargaining agreements with unions.

A significant number of attorneys are employed at the various levels of government. Lawyers who work for State attorneys general, prosecutors, public defenders, and courts play a key role in the criminal justice system. At the Federal level, attorneys investigate cases for the U.S. Department of Justice and other agencies. Government lawyers also help develop programs, draft and interpret laws and legislation, establish enforcement procedures, and argue civil and criminal cases on behalf of the government.

Other lawyers work for legal-aid societies—private, nonprofit organizations established to serve disadvantaged people. These lawyers generally handle civil, rather than criminal, cases. A relatively small number of trained attorneys work in law schools. Most are faculty members who specialize in one or more subjects; however, some serve as administrators. Others work full time in nonacademic settings and teach part time. (For additional information, see the *Handbook* section on teachers—postsecondary.)

Lawyers are increasingly using various forms of technology to perform their varied tasks more efficiently. While all lawyers continue to use law libraries to prepare cases, some supplement their search of conventional printed sources with computer sources, such as the Internet and legal databases. Software is used to search this legal literature automatically and to identify legal texts relevant to a specific case. In litigation involving



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many supporting documents, lawyers may use computers to organize and index material. Lawyers also utilize electronic filing, videoconferencing, and voice-recognition technology to share information more effectively with other parties involved in a case.

Working Conditions

Lawyers do most of their work in offices, law libraries, and courtrooms. They sometimes meet in clients' homes or places of business and, when necessary, in hospitals or prisons. They may travel to attend meetings, gather evidence, and appear before courts, legislative bodies, and other authorities.

Salaried lawyers usually have structured work schedules. Lawyers who are in private practice may work irregular hours while conducting research, conferring with clients, or preparing briefs during nonoffice hours. Lawyers often work long hours, and of those who regularly work full time, about half work 50 hours or more per week. They may face particularly heavy pressure, especially when a case is being tried. Preparation for court includes keeping abreast of the latest laws and judicial decisions.

Although legal work generally is not seasonal, the work of tax lawyers and other specialists may be an exception. Because lawyers in private practice often can determine their own workload and the point at which they will retire, many stay in practice well beyond the usual retirement age.

Employment

Lawyers held about 695,000 jobs in 2002. About 3 out of 4 lawyers practiced privately, either in law firms or in solo practices. Most of the remaining lawyers held positions in government and with corporations and nonprofit organizations. For those working in government, the greatest number were employed at the local level. In the Federal Government, lawyers work for many different agencies, but are concentrated in the Departments of Justice, Treasury, and Defense. For those working outside of government, lawyers are employed as house counsel by public utilities, banks, insurance companies, real-estate agencies, manufacturing firms, and other business firms and nonprofit organizations. Some salaried lawyers also have part-time independent practices; others work part time as lawyers and full time in another occupation.

Training, Other Qualifications, and Advancement

To practice law in the courts of any State or other jurisdiction, a person must be licensed, or admitted to its bar, under rules established by the jurisdiction's highest court. All States require that applicants for admission to the bar pass a written bar examination; most jurisdictions also require applicants to pass a separate written ethics examination. Lawyers who have been admitted to the bar in one jurisdiction occasionally may be admitted to the bar in another without taking an examination if they meet the latter jurisdiction's standards of good moral character and have a specified period of legal experience. Federal courts and agencies set their own qualifications for those practicing before or in them.

To qualify for the bar examination in most States, an applicant usually must earn a college degree and graduate from a law school accredited by the American Bar Association (ABA) or the proper State authorities. ABA accreditation signifies that

the law school—particularly its library and faculty—meets certain standards developed to promote quality legal education. ABA currently accredits 188 law schools; others are approved by State authorities only. With certain exceptions, graduates of schools not approved by the ABA are restricted to taking the bar examination and practicing in the State or other jurisdiction in which the school is located; most of these schools are in California. In 2002, eight States accepted the study of law in a law office as qualification for taking the bar examination; three jurisdictions—California, the District of Columbia, and New Mexico—now accept the study of law by correspondence. Several States require registration and approval of students by the State Board of Law Examiners, either before the students enter law school or during their early years of legal study.

Although there is no nationwide bar examination, 48 States, the District of Columbia, Guam, the Northern Mariana Islands, Puerto Rico, and the Virgin Islands require the 6-hour Multistate Bar Examination (MBE) as part of the overall bar examination; the MBE is not required in Louisiana and Washington. The MBE covers issues of broad interest, and sometimes a locally prepared State bar examination is given in addition to the MBE. The 3-hour Multistate Essay Examination (MEE) is used as part of the bar examination in several States. States vary in their use of MBE and MEE scores.

Many States have begun to require Multistate Performance Testing (MPT) to test the practical skills of beginning lawyers. This program has been well received, and many more States are expected to require performance testing in the future. Requirements vary by State, although the test usually is taken at the same time as the bar exam and is a one-time requirement.

The required college and law school education usually takes 7 years of full-time study after high school—4 years of undergraduate study, followed by 3 years of law school. Law school applicants must have a bachelor's degree to qualify for admission. To meet the needs of students who can attend only part time, a number of law schools have night or part-time divisions, which usually require 4 years of study; about 1 in 10 graduates from ABA-approved schools attended part time.

Although there is no recommended "prelaw" major, prospective lawyers should develop proficiency in writing and speaking, reading, researching, analyzing, and thinking logically—skills needed to succeed both in law school and in the profession. Regardless of major, a multidisciplinary background is recommended. Courses in English, foreign languages, public speaking, government, philosophy, history, economics, mathematics, and computer science, among others, are useful. Students interested in a particular aspect of law may find related courses helpful. For example, prospective patent lawyers need a strong background in engineering or science, and future tax lawyers must have extensive knowledge of accounting.

Acceptance by most law schools depends on the applicant's ability to demonstrate an aptitude for the study of law, usually through good undergraduate grades, the Law School Admission Test (LSAT), the quality of the applicant's undergraduate school, any prior work experience, and, sometimes, a personal interview. However, law schools vary in the weight they place on each of these and other factors.

All law schools approved by the ABA, except those in Puerto Rico, require applicants to take the LSAT. Nearly all law schools require applicants to have certified transcripts sent to the Law School Data Assembly Service, which then submits applicants' LSAT scores and their standardized records of college grades to

the law schools of their choice. Both this service and the LSAT are administered by the Law School Admission Council. Competition for admission to many law schools—especially the most prestigious ones—generally is intense, with the number of applicants to most law schools greatly exceeding the number that can be admitted.

During the first year or year and a half of law school, students usually study core courses, such as constitutional law, contracts, property law, torts, civil procedure, and legal writing. In the remaining time, they may elect specialized courses in fields such as tax, labor, or corporate law. Law students often acquire practical experience by participating in school-sponsored legal clinic activities; in the school's moot court competitions, in which students conduct appellate arguments; in practice trials under the supervision of experienced lawyers and judges; and through research and writing on legal issues for the school's law journal.

A number of law schools have clinical programs in which students gain legal experience through practice trials and projects under the supervision of practicing lawyers and law school faculty. Law school clinical programs might include work in legal-aid clinics, for example, or on the staff of legislative committees. Part-time or summer clerkships in law firms, government agencies, and corporate legal departments also provide valuable experience. Such training can lead directly to a job after graduation and can help students decide what kind of practice best suits them. Clerkships may also be an important source of financial aid.

In 2001, law students in 52 jurisdictions were required to pass the Multistate Professional Responsibility Examination (MPRE), which tests their knowledge of the ABA codes on professional responsibility and judicial conduct. In some States, the MPRE may be taken during law school, usually after completing a course on legal ethics.

Law school graduates receive the degree of *juris doctor* (J.D.) as the first professional degree. Advanced law degrees may be desirable for those planning to specialize, research, or teach. Some law students pursue joint degree programs, which usually require an additional semester or year of study. Joint degree programs are offered in a number of areas, including law and business administration or public administration.

After graduation, lawyers must keep informed about legal and nonlegal developments that affect their practice. Currently, 40 States and jurisdictions mandate continuing legal education (CLE). Many law schools and State and local bar associations provide continuing education courses that help lawyers stay abreast of recent developments. Some States allow CLE credits to be obtained through participation in seminars on the Internet.

The practice of law involves a great deal of responsibility. Individuals planning careers in law should like to work with people and be able to win the respect and confidence of their clients, associates, and the public. Perseverance, creativity, and reasoning ability also are essential to lawyers, who often analyze complex cases and handle new and unique legal problems.

Most beginning lawyers start in salaried positions. Newly hired salaried attorneys usually start as associates and work with more experienced lawyers or judges. After several years of gaining more responsibilities, some lawyers are admitted to partnership in their firm or go into practice for themselves. Some experienced lawyers are nominated or elected to judgeships. (See the

section on judges, magistrates, and other judicial workers elsewhere in the *Handbook*.) Others become full-time law school faculty or administrators; a growing number of these lawyers have advanced degrees in other fields as well.

Some attorneys use their legal training in administrative or managerial positions in various departments of large corporations. A transfer from a corporation's legal department to another department often is viewed as a way to gain administrative experience and rise in the ranks of management.

Job Outlook

Employment of lawyers is expected to grow about as fast as the average through 2012, primarily as a result of growth in the population and in the general level of business activities. Employment growth of lawyers also will result from growth in demand for legal services in such areas as elder, antitrust, environmental, and intellectual-property law. In addition, the wider availability and affordability of legal clinics and prepaid legal service programs should result in increased use of legal services by middle-income people.

Growth in demand will be somewhat mitigated, because, in an effort to reduce money spent on legal fees, many businesses increasingly are using large accounting firms and paralegals to perform some of the same functions that lawyers do. For example, accounting firms may provide employee-benefit counseling, process documents, or handle various other services previously performed by a law firm. Also, mediation and dispute resolution increasingly are being used as alternatives to litigation.

Competition for job openings should continue to be keen because of the large number of students graduating from law school each year. Graduates with superior academic records from well-regarded law schools will have the best job opportunities. Perhaps as a result of competition for attorney positions, lawyers are increasingly finding work in nontraditional areas for which legal training is an asset, but not normally a requirement—for example, administrative, managerial, and business positions in banks, insurance firms, real-estate companies, government agencies, and other organizations. Employment opportunities are expected to continue to arise in these organizations at a growing rate.

As in the past, some graduates may have to accept positions in areas outside of their field of interest or for which they feel overqualified. Some recent law school graduates who have been unable to find permanent positions are turning to the growing number of temporary staffing firms that place attorneys in short-term jobs until they are able to secure full-time positions. This service allows companies to hire lawyers on an "as-needed" basis and permits beginning lawyers to develop practical skills while looking for permanent positions.

Due to the competition for jobs, a law graduate's geographic mobility and work experience assume greater importance. The willingness to relocate may be an advantage in getting a job, but, to be licensed in another State, a lawyer may have to take an additional State bar examination. In addition, employers are increasingly seeking graduates who have advanced law degrees and experience in a specialty, such as tax, patent, or admiralty law.

Employment growth for lawyers will continue to be concentrated in salaried jobs, as businesses and all levels of government employ a growing number of staff attorneys and as em-

ployment in the legal services industry grows. Most salaried positions are in urban areas where government agencies, law firms, and big corporations are concentrated. The number of self-employed lawyers is expected to decrease slowly, reflecting the difficulty of establishing a profitable new practice in the face of competition from larger, established law firms. Moreover, the growing complexity of law, which encourages specialization, along with the cost of maintaining up-to-date legal research materials, favors larger firms.

For lawyers who wish to work independently, establishing a new practice will probably be easiest in small towns and expanding suburban areas. In such communities, competition from larger, established law firms is likely to be less keen than in big cities, and new lawyers may find it easier to become known to potential clients.

Some lawyers are adversely affected by cyclical swings in the economy. During recessions, demand declines for some discretionary legal services, such as planning estates, drafting wills, and handling real-estate transactions. Also, corporations are less likely to litigate cases when declining sales and profits result in budgetary restrictions. Some corporations and law firms will not hire new attorneys until business improves, and these establishments may even cut staff to contain costs. Several factors, however, mitigate the overall impact of recessions on lawyers; during recessions, for example, individuals and corporations face other legal problems, such as bankruptcies, foreclosures, and divorces requiring legal action.

Earnings

In 2002, the median annual earnings of all lawyers was \$90,290. The middle half of the occupation earned between \$61,060 and \$136,810. The lowest paid 10 percent earned less than \$44,490; at least 10 percent earned more than \$145,600. Median annual earnings in the industries employing the largest numbers of lawyers in 2002 are given in the following tabulation:

Management of companies and enterprises	\$131,970
Federal government	98,790
Legal services	93,970
Local government	69,710
State government	67,910

Median salaries of lawyers 6 months after graduation from law school in 2001 varied by type of work, as indicated by table 1.

Table 1. Median salaries of lawyers 6 months after graduation, 2001

All graduates	\$60,000
<i>Type of work</i>	
Private practice	90,000
Business/industry	60,000
Judicial clerkship and government	40,300
Academe	40,000

Source: *National Association of Law Placement*

Salaries of experienced attorneys vary widely according to the type, size, and location of their employer. Lawyers who own their own practices usually earn less than do those who are partners in law firms. Lawyers starting their own practice may

need to work part time in other occupations to supplement their income until their practice is well established.

Most salaried lawyers are provided health and life insurance, and contributions are made on their behalf to retirement plans. Lawyers who practice independently are covered only if they arrange and pay for such benefits themselves.

Related Occupations

Legal training is necessary in many other occupations, including paralegal and legal assistant; law clerk; title examiner, abstractor, and searcher; arbitrator, mediator, and conciliator; judge, magistrate judge, and magistrate; and administrative law judge, adjudicator, and hearing officer.

Sources of Additional Information

Information on law schools and a career in law may be obtained from

► American Bar Association, 750 North Lake Shore Dr., Chicago, IL 60611. Internet: <http://www.abanet.org>

Information on the LSAT, the Law School Data Assembly Service, the law school application process, and the financial aid available to law students may be obtained from

► Law School Admission Council, P.O. Box 40, Newtown, PA 18940. Internet: <http://www.lsac.org>

Information on obtaining a job as a lawyer with the Federal Government is available from the Office of Personnel Management through a telephone-based system. Consult your telephone directory under "U.S. Government" for a local number, or call (703) 724-1850; Federal Relay Service: (800) 877-8339. The first number is not toll free, and charges may accrue. Information also is available from the Internet site <http://www.usajobs.opm.gov>.

The requirements for admission to the bar in a particular State or other jurisdiction also may be obtained at the State capital, from the clerk of the Supreme Court, or from the administrator of the State Board of Bar Examiners.