

CAREERS IN PUBLIC INTEREST LAW



PROVIDED BY THE JAMES L. PETIGRU PUBLIC INTEREST LAW SOCIETY

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I. Intro: Careers in Public Interest Law

Public interest law is the practice of law to further interests shared by the entire public or significant segments of it. The clients and issues handled by a public interest lawyer reflect broad areas of public concern, such as illegal discrimination, environmental protection, child welfare, and domestic violence.

For many, the choice to specialize in public interest law, or to simply spend a summer focused on such work, is not available because of financial constraints. The **Public Interest Law Society (PILS)** at the USC School of Law works to increase awareness about the public interest legal community, public interest job opportunities, and accessibility to funding for such work.

II. Types of Careers and Fields

There are many different types of jobs in public interest law, and it is worthwhile to consider and inquire about different careers to determine which might best fit your talents, aspirations, and desired lifestyle. The following are several of the most common types of organizations where lawyers concerned with the public interest practice, but bear in mind that there may be other types of groups where a lawyer could make a meaningful societal impact. Organizations will sometimes fit into more than one of these categories; for example, a group may provide direct legal services and also advocate for policy change on behalf of the indigent.

Legal Services Organizations

Legal services organizations provide direct legal services to indigent individuals and families in civil matters, including transactional work and litigation. These organizations are sometimes analogized to public defender offices, which are distinguished by the fact that public defenders provide legal representation in *criminal* matters. Legal services attorneys represent clients with regard to a broad range of issues, including housing discrimination, consumer bankruptcy, predatory lending, immigration issues, and many others. Legal services offices, like public defender offices, give new attorneys early opportunities to handle litigation; private law firms, on the other hand, generally require new attorneys to put in considerable time (sometimes years) before handling their own litigation. Law clerks at legal services organizations are also given exposure to litigation through attendance at the attorneys' courtroom appearances.

The major legal services organization in South Carolina is S.C. Legal Services, formerly the S.C. Centers for Equal Justice. Offices are located throughout the state. Another organization in the state is LowCountry Legal Aid in Hilton Head. Also, the Center for Heirs' Property Preservation, located in Charleston, provides direct legal services (and education) to indigent families whose family homes and land are threatened due to the fact that the property has been passed down by intestate succession for several generations.

Policy Advocacy Organizations

Policy advocacy organizations work for changes in legislation, regulations, and other types of policy. Policy advocacy attorneys work to effect systemic change; public defenders and legal services attorneys, in contrast, seek justice at the individual level. In fact, policy advocates often have great insight into issues that affect underrepresented groups precisely because they have previously worked as public defenders or legal services

attorneys. Policy advocacy groups are involved in many different issues, including environmental justice, education, immigration, consumer rights, community development, affordable housing, capital punishment, domestic violence, and child welfare. The attorneys in this area work for systemic change in many different ways; examples include lobbying members of Congress or a state legislature for legislation favorable to disenfranchised groups (or against legislation that would harm these groups), raising public awareness of injustices or environmental abuses, educating community members about their rights, and working with community groups and local governments to find solutions to local problems.

Generally, policy advocacy attorneys have very little client contact, and certainly less than legal services attorneys or public defenders. The trade-off is said to be that, while there is less client contact, the work of a policy advocate has the potential to benefit large groups of people. Another twist is that policy advocacy groups are often involved in **impact litigation**. This is litigation intended to make a broad social impact by setting a legal precedent that benefits disenfranchised groups or individuals, the environment, or some other cause. Some groups focus almost entirely on impact litigation; examples are the American Civil Liberties Union and the NAACP Legal Defense Fund.

S.C. Appleseed Legal Justice Center is a policy advocacy organization in Columbia that works with a broad range of issues.

Public Defender Offices

Public defenders provide legal representation in criminal cases for clients who cannot afford to pay for counsel. Like legal services attorneys, public defenders have a high degree of client contact. Generally, a public defender's office is a state agency, but can also be funded through non-profit organizations, government subsidies, and grants. Often times, students interested in pursuing private criminal defense practice are encouraged to work for either a public defender or solicitor's office prior to entering the private sphere. Further, organizations such as the Department of Justice, Federal Defenders, Attorney Generals offices and other high-level state agency posts may sometimes prefer a candidate with work experience in a public defender or solicitor's office.

Public defenders represent clients at all phases of the legal process, from bond and probation hearings to complete jury trials. Attorneys spend a good deal of time outside of the office, meeting with incarcerated clients at the jail, doing investigative work in the community and representing clients in the courtroom.

County public defender offices in the Columbia area include the Richland and Lexington County Public Defender Offices.

Prosecutor's Offices/ State Attorney General/ DOJ

Work at a prosecutor/solicitor's office, the state Attorney General's office, or the Department of Justice is also sometimes considered to fall under the umbrella term "public interest law." Note that the Department of Justice also includes divisions that prosecute civil rights violations and work to protect battered women, among other things.

Legal Staff at Government Entities/Organizations

Government entities at both the state and federal levels often have in-house legal staffs that enforce laws and regulations and further the goals of these organizations in other ways. For example, attorneys at the United States Department of Housing and Urban Development investigate and fight housing discrimination

and work with developers to encourage affordable housing development. Attorneys at the Environmental Protection Agency work to enforce federal environmental regulations. Federal agencies also employ attorneys who work to ensure that the agencies themselves are in compliance with the law; for example, attorneys might work to ensure that a federal agency is distributing grants or awarding contracts in a non-discriminatory matter.

At the state level, many South Carolina government agencies have legal staffs, including the Department of Health and Environmental Control (DHEC), the Department of Social Services (DSS), the Department of Education, and the Department of Consumer Affairs.

Additionally, city and county governments often have staff attorneys, called city or county attorneys, who represent the local government in a wide range of legal matters. The attorney who heads up such a legal staff is often appointed by the city or county council.

Pro-bono work at law firms

Some firms, especially larger ones, offer opportunities for their attorneys to become involved in public interest law through pro-bono work. This may be an option for students who will not be willing or able to take a typically lower-paying public interest job after graduation. Some firms may also encourage attorney's to volunteer their time to non-legal pro bono causes; for example, attorneys at private firms often serve on the boards of non-profits.

When interviewing with these firms, there are many important questions to ask in order to get a realistic view of their pro bono programs: How many pro bono cases does the firm take? How much time do young associates get to spend on these cases? Are associates who are eager to take these cases looked on unfavorably with regard to promotions? Try to get a sense of whether the pro bono program is a valued component of the firm culture. Bear in mind, however, that this type of interview can be a balancing act, and a job applicant who is only interested in pro bono work may not be very attractive to a private law firm that operates to make a profit.

Firms often advertise their pro bono programs on their websites. The Office of Career Services may also be able to direct you to firms with strong pro bono programs.

Finally *Public Justice* is a 3,500 member network of trial and appellate lawyers who work at a variety of private firms and public interest organizations across the country (<http://www.tlpj.org/>). Members support innovative litigation involving the environment, civil rights, consumer protections, and many other issues.

III. Finding Summer Clerkships

Applying for public interest clerkships is similar to applying for jobs at private firms in many ways, with the notable exception that public interest employers are not as likely to participate in active recruitment such as On Campus Interviewing. Job applicants should send a cover letter and resume which are tailored to each individual organization and which highlight past experiences and signs of commitment to the public interest. Students should dress for interviews with public interest organizations just as they would for an interview with any other legal employer.

Because public interest employers often do not have the time or resources to actively recruit clerks, students will benefit from being proactive in seeking out potential opportunities. In looking for summer clerkships, students should consult with Pam Robinson in the Pro Bono Office, the Office of Career Services, and the other resources listed at the end of this manual. The best sources of first-hand information about experiences working for particular public interest employers are second- and third-year students who have worked at different organizations in the past.

Students should not send resumes until the beginning of the spring semester, but are strongly advised to begin seriously researching prospective employers during the fall. Students are also encouraged to arrange during the fall for **informational interviews** with attorneys who work at public interest organizations. This is an excellent way to establish contacts, refine your knowledge about areas of professional interest, and demonstrate sincere interest in a particular organization's work.

Many of these summer clerkships are non-paying or low-paying, so financing your summer public interest opportunity will probably be a major concern. However, students may be able to obtain funding through one or more of the following resources:

- The PILS Summer Grant Program (inquire in the Pro Bono Office or on the PILS TWEN website)
- The Federal Work Study Program (consult Megan Seiner in the Career Services Office)
- The Equal Justice Works Summer Corps stipend program (<http://www.equaljusticeworks.org/programs/summercorps>)
- Many other outside grant programs (see the PILS TWEN website)

IV. What Do Employers Look For?

The managing attorney and staff of a local legal services office offered the following advice about starting and succeeding in a career in public interest law:

- If you think you may be interested in doing public service law, make it a point to work as a volunteer or law clerk in a public service law firm to **see if you really fit** into that kind of environment before you make it your life goal.
- You must **be self motivated** and able to find satisfaction from your personal achievements and not from the salary you will earn (or not earn, as the case may be).
- **Good self esteem** is very helpful.
- I look for a person who is **passionate about doing a good job**, not necessarily passionate about helping those less fortunate. (Though that is very helpful as is caring about those who are less-fortunate).
- Experience with the private bar may be helpful but is not necessary.
- **Good personal characteristics** for public interest attorneys are integrity, sincerity, trustworthiness, respect for all persons, creativity, non judgmental – basically well balanced individuals.
- Experience in **working with a diverse group of people** – coworkers and persons served.
- To be successful it will be necessary to **go the extra step or mile**. Sometimes we have to visit clients at home, in the hospital or other locations. Along with this is being

flexible regarding work hours – requirements to help low income clients do not always fit into a 9-5 day.

- You need to be **able to work with limited resources**. Most of our funding comes from grants that may or may not be renewed from year to year at a constant rate.
- **Skills** that serve one in public interest law are the ability to listen well, knowledge of negotiation techniques, good PR skills for speaking to groups for community education and outreach events, and of course, the traditional measures of law school achievement can add to a person's skills and knowledge resulting in better help for our clientele. However, **being an A+ student is not our primary standard**. If you are an A+ student who has all of the other attributes, more the better; and if you're not the A+ student, remember that C students can make the best lawyers!

V. Long-Term Considerations

Finding employment in any part of the legal field can be a stressful and time-consuming process; students interested in public interest law need to be especially aware of certain issues as they chart their law school and post-law school trajectories.

Keep Down Your Student Debt!!!!!!!!!!!!!!!!!!!!!!

Because public-interest jobs typically pay lower salaries than private-sector positions, it is crucial for students interested in public interest law to minimize the debt that so many of us accrue to pay for law school (on top of what many have left over from undergrad). This is especially important as tuition continues to rise. Students who are seriously interested in public interest careers should take the time to realistically evaluate the amount of educational debt they will accumulate over the next few years and the amount of the monthly payments they will be required to make after graduation. Officers at the organization issuing your loans and the University's Office of Financial Aid may also be able to help you determine what your monthly payments will amount to. Students should also think about any changes they could make right now in their lifestyles and consumer habits that would help to minimize the amount of loans they need to take out. **Equal Justice Works**, a national organization that provides support and guidance to students pursuing careers in public interest law, recommends that students consider the possibility of working at a private-sector job during the summer in order to save money for after graduation and minimize the amount of loans they need to take out (noting, however, that students should continue to be involved in public service activities to gain experience and demonstrate commitment) (see *The Path to Public Interest: Educational Debt* at <http://www.equaljusticeworks.org/>).

A report provided by Equal Justice Works and the Partnership for Public Service, *From Paper Chase to Money Chase: Law School Debt Diverts Road to Public Service* (available at <http://www.equaljusticeworks.org/>), discusses in detail the financial problems facing law school graduates who want to take public interest or governmental public service jobs. 66% of graduates who responded to a survey used in the report stated that educational debt prevented them from taking a public interest position. (p.19). Also according to the report, a typical law school graduate has accrued \$84,000 in debt, and must pay around \$1,000 a month in loan payments; this is about half of a typical public interest lawyer's salary. (pp.5-6). Students should read this report and find other sources of information about how educational debt affects a new attorney's ability to take a public interest job.

Also, be aware of **loan repayment assistance programs (LRAP's)**, which pay off a portion of the monthly loan payments of attorney's practicing in public interest jobs. The LRAP at the South Carolina

School of Law is the Public Interest Law Loan Forgiveness Fund; for more information on the specifics of this program, inquire in the Pro Bono Office. Some public interest employers also provide LRAP's.

Finally, the federal **College Cost Reduction and Access Act (CCRAA)** of 2007 has the potential to take a large portion of the debt burden off of attorneys who pursue long-term careers in public interest law. Essentially, this new legislation allows public interest lawyers (as well as government workers and all employees of 501(c)(3) non-profits) to have a major portion of their federal education loan debt forgiven after 10 years of full-time work in the public interest. Of course, lawyers with debt will still be required to make regular repayments on their loans during the ten-year period. This legislation was a major victory in the movement to prevent debt from limiting professional options after law school, and students interested in public interest law careers should consider it in long-term career and debt-management planning. For more information about the CCRAA, inquire in the Career Services Office and read the article on the following link: http://www.law.georgetown.edu/news/releases/documents/Forgiveness_000.pdf

Experience is Key

One of the most important things that employers look for in potential new hires is experience in public interest legal work. It is crucial for students to begin gaining experience.

One important reason for this is that many public interest employers, like many small private firms, do not have tremendous amounts of money or time to invest in training new attorneys. Acquiring experience in a related public interest field will make an applicant more valuable to a public interest employer.

A second, and perhaps more fundamental, reason is that employers like to see a demonstrated commitment to the public interest. People do not go in to public interest work for the money. It is important to show employers that you share a passion for their cause (or social justice in general); that you made a thoughtful and informed decision to pursue a public interest career, and did not just follow an idealistic whim; and finally that you will have the conviction to stick with your work even when the sometimes low salary and heavy workload make a private-sector job seem like a pretty good option (for more money, though probably not less work).

Students at the USC School of Law are lucky to have many avenues for acquiring experience and demonstrating commitment to the public interest. All of the following are good ways for students to do so:

- Working public interest jobs during the summer and/or school year. The PILS Summer Grant program helps make this a viable choice for many students, and other organizations such as Equal Justice Works provide similar grants.
- Getting involved with one of the projects sponsored by the Pro Bono Board or another student organization; these projects serve a wide variety of causes, both legal and non-legal related. Students are also encouraged to start new Pro Bono projects or student organizations; doing so can help you gain experience in an area of particular interest and connect you with students who have similar interests, and also shows a tremendous amount of initiative.
- Working in one of the School of Law Clinics, particularly those with a public interest orientation, such as the Environmental Clinic or Child Law Clinic. The Criminal Law Clinic and Federal Litigation Clinic also provide valuable experience for students interested in public defender work, legal services, or any other type of practice that involves courtroom advocacy from the get-go.

The Reality of Public Interest Salaries

While this manual does not attempt to provide specific information about salaries in different types of public interest jobs, students should do everything they can to find out the starting salaries in the careers they are interested in pursuing. Such information may be obtained during job or informational interviews, as well as by inquiring in the Career Services and Pro Bono Offices. Public interest salaries are of course generally lower than private sector salaries, and students may need to make tough career decisions in light of their existing debt, familial or other obligations, and desired lifestyle.

Legal Fellowships Can Pave the Way

There are a number of public interest law post-graduate fellowship programs that provide a partial or full salary for outstanding recent graduates for one or two years. Examples of these fellowships are Equal Justice Works Fellowships and Skadden Fellowships. Often, these programs are looking for new attorneys who will work in innovative ways at existing public interest organizations to address needs or problems that are not already being addressed. The Equal Justice Works website provides a detailed list of the different projects their fellows have worked on during the past several years. These fellowships can provide law school graduates with an opportunity to practice in a way that is specifically tailored to their interests and passions, and may potentially turn into long-term careers in positions that did not previously exist.

Students interested in fellowship opportunities should begin researching for existing programs and their requirements during the first year of law school. Many of these fellowships are highly competitive, and students should make themselves aware of the criteria used in awarding the different fellowships (public interest experience, pro bono work, grades, etc.) as they chart out their law school careers and activities. However, these fellowships are by no means reserved for ivy league graduates; many fellowships are awarded to students from state or less prestigious law schools.

For information about public interest law post-graduate fellowship opportunities, see the Public Interest Law Society website and inquire in the Career Services and Pro Bono Offices. Also, students are encouraged to ask PILS officers and members about such opportunities, as well as to join the PILS TWEN group to receive new information about fellowships.

VI. Resources

The Public Interest Law Society's TWEN group provides an extensive list of links to resources with information about public interest law careers and job opportunities. **Join the PILS TWEN group today!!!**

Other useful resources include the following:

- The Pro Bono Office (Contact: Pam Robinson)
- The Career Services Office (Contact: Megan Seiner)
- The PILS website (www.law.sc.edu/organizations/pils/)
- PILS Faculty/Staff Advisors
- Equal Justice Works (www.equaljusticeworks.org) (a national organization that supports law students pursuing public interest careers and provides post-graduate fellowships)
- Idealist.org (www.idealists.org) (a great resource for finding job opportunities around the world in public interest law and other non-profit fields)