

Popular Threads on Solosez

ATTORNEYS AS PARALEGALS REDUX

Not long ago we had a thread about hiring relatively inexperienced attorneys as paralegals. It seemed to me that in general the advice was not to do this. On that note, I'm wondering what the list thinks of this particular job listing. They appear to be looking for a very experienced attorney...to serve as a paralegal. I find myself wondering exactly how many attorneys out there can possibly have this kind of experience, and how many with this kind of experience would be interested in doing the same thing as a paralegal (and presumptively, at a paralegal's level of pay.) Opinions?

Litigation Attorney Sought for Long term In House Paralegal Position in Houston Area.

We are working with an in house legal department that is considering attorney candidates to serve in a complex litigation paralegal\ litigation manager role for a long term project position.

Ideal candidate will have experience in the following :

- *Extensive knowledge of E-discovery systems
- *5-10 years of complex litigation experience
- *Working with E-discovery vendors
- *Coordinating large volumes of e-discovery, including document collection, review and production
- *Analyzing documents for responsiveness and privilege and creating privilege logs
- *Overseeing major document productions.
- *Preparing case summaries, interviewing witnesses, exhibits, discovery, trial preparation
- *Government investigations
- *Proficient in database management software.
- * EnCase experience highly preferred.

<http://lawjobs.careers.adicio.com/careers/jobsearch/detail?jobId=17929096&viewType=main&networkView=main>

Alexander Wolfe, Texas

Wow....I can understand attorneys applying for jobs as paralegals, and I can understand firms hiring attorneys for paralegal positions, but it just seems weird to actually advertise that you are seeking an attorney to fill a paralegal role. It seems like they are trying to avoid something or get around something, but I'm not sure what.....

David Tarvin (not a lawyer), Nebraska

Quite easy to understand. They want and need someone with particular expertise and just don't want to call them counsel.

I'm willing to bet that the pay is satisfactory. I'm aware of many paralegals that earn more than the average solo does and few that earn more than an associate at BigLaw. It's all a matter of specific knowledge and expertise. For example paralegals doing particularized securities, tax or franchise work can get away without a law degree (so long as they are working for a lawyer) and yet their skills are highly valued, and paid accordingly.

There's no reason that an attorney should be stuck on the title of attorney.

Roger Traversa, Pennsylvania

Attorneys went to law school and passed a bar exam while paralegals have not. And, I think it's exploitative because the job market and massive loans means new attorneys are forced into these positions. Employers are taking advantage of that and getting a law degree + law license for the cost of a paralegal certificate. It is also bad for paralegals who will lose their jobs or be beat out by new attorneys.

I don't buy that employers are compensating their law licensed-paras as attorneys. Why wouldn't you just advertise for an attorney?

Jake C. Eisenstein, Colorado

That's what I'm wondering. Do they get out of paying for malpractice insurance that way? Bar dues? CLE? Do they get out of following some of the ethical rules somehow?

David Tarvin (not a lawyer), Nebraska

Lest anyone think this is a new trend about 10 years ago I had an interview for a job in the legal department at American Express in NYC. I was 7 years out of law school and looking to make a change from a non-practicing but legal consulting services position.

During that interview, they had no qualms letting me know that it was their practice to only hire licensed attorneys for paralegal positions and as such, my title would be Paralegal. Furthermore, they let me know that there was a slim to none chance that I would ever be promoted to a Counsel

position.

Afterward, I thanked them for their time but declined to pursue the "opportunity" further.

The actual job title wasn't biggest issue, rather it was the small detail about wanting me to take a sizable pay cut was the deal breaker. I can no longer recall exactly the salary amount they were offering but given that my current salary at the time wasn't a fortune, it had to be pretty low.

Barb

Barbara Kessler, New York

I just advertised to hire a paralegal in S.F. To my amazement, about half the applicants were licensed attorneys (including those licensed in other states and countries), including new and experienced lawyers. The job market is very tough right now.

David B. Newdorf, California

They get to include the paraprofessional on their budget as administrative and support staff rather than as a new professional. It's a budget trick.

Roger Traversa

Another data point on how tough the legal job market is: I am getting unsolicited resumes from attorneys and patent agents who found my firm on Facebook, Avvo, or Justia. A few were even willing to work for free to get their foot in the door. Personally, I wouldn't hire a lawyer as a paralegal lest they take my business. Still, the market is horrible and I see this continuing for a while.

William Chuang, New York

About 10 months ago, I put out an ad for a file clerk - as in someone to just file. I received about 350 resumes in the span of a couple days. Half were attorneys. That was before Wolf Block closed its doors and Dechert had massive layoffs. It's a tough, tough market.

It's why I caution new lawyers about rushing in to start their own practices (although, lest I be misinterpreted, I've been practicing in my own firm for nearly 10 years and LOVE it). If there's no market for you in an established firm, you need to think about whether there's a market for you on your own. If you can say yes, then it's for you. If you're not sure, then you need to make sure your business plan makes sense.

Kelly Phillips Erb, Pennsylvania

I am not an attorney, but thought I'd put my 2 cents here for what it's worth... The advertisement was for a MANAGER'S position... they want an attorney because they may want some one who can recognize conceptually issues when a large volume of documents is presented... they may also want some one who is familiar with procedures... but they may not necessarily want some one to DO the project (review documents, produce documents, etc.), but only some one who can manage the project... having experience as a licensed attorney is a key at some of such assignments... and it is often in large firms that a licensed attorney who is not necessarily practicing that manages litigation projects or litigation paralegals... of course, this does not mean that there may be something fishy with this particular advertisement...

Irina Kebreau

A little late on this...back in the day I inquired about applying for open paralegal positions in one of the Big 3 automakers (I did say back in the day). I was told that they did not want anyone who passed the bar specifically because they would be held to the knowledge of an attorney rather than a paralegal, because they were a licensed professional. Now, I don't think a corporate employer has to have malpractice insurance, because the corporate employer itself is the 'client' and the doctrine of master and servant applies as between the two. (However, malpractice per se would no doubt be grounds for termination in a non-at-will situation.) That's my \$.02

Carol Shepherd, Michigan