



The Contract Attorney *Deal or No Deal?*

There is time for high-brow intellectual discourse; but most times, honest simplicity is best. The majority of students do not plan to study law and endure the rigors thereof in pursuit of a career as a contract attorney. Even those among us who started law school with 'a plan', still had no clue about this sub-section of the legal industry. Nevertheless, the annual revenue generated by contract Attorneys stretches far into the millions of dollars. Some of us consider that kind of money — opportunity. How can you determine whether pursuing a contract attorney position is right for you? If you do decide to explore a career, brief tenure or a transitional period as a contract attorney, how can you get paid?

The Basics

For the uninitiated, a position as a contract attorney can be confused with a lawyer who practices contract law. Although there may be very little difference, and it is highly possible and even probable that both could perform the same functions, significant distinctions exist.

A large portion of the work requested of contract attorneys involves working on legal cases for other lawyers, firms, corporations and government agencies, etc., based solely upon a 'negotiated' contract. They are not considered employees of the entity with whom they contract. Bar membership is not required; however, it is helpful and often affects compensation rates. Most contract attorneys find work opportunities through legal staffing

firms such as, LawFirmStaff.com or non-profit organizations like: WCAG. However, it is entirely possible to find and exploit revenue-generating sources as a contract attorney or an "independent attorney consultant" — well, independently.

Attorneys who practice contract law are generally employees or partner/owners of the entity for whom they work. They typically counsel their clients about licenses, business forms and agreements, both documented and verbal. Attorneys in this discipline also litigate common contentious issues associated with contracts that contain drafting disputes, have been breached, require language interpretation and/or are subjected to fraud.

The Work

Whereas contract attorneys may be called upon to perform functions within the contract law discipline, it is much more common to find document review work. Such work often involves a large organization's response to a subpoena or preparation for an investigation. When a subpoena is received by a respondent or an investigation is initiated, vast numbers of electronic and/or traditional documents must typically be categorized and produced. Prior to production, the status of every document page must be evaluated for confidentiality, redaction, privilege, and attorney work product. This demand is often made on a tight production deadline. This represents the ideal and most



common scenario when large firms require multiple skilled attorneys to evaluate such materials. Because each document must be thoroughly reviewed, the process is labor intensive and time consuming. It is quite common for overtime hours to be necessary and not unheard of for a minimum of 10 and sometimes even 20-plus hours of overtime to be needed. Additionally, but more rarely, contract attorneys may supervise or “lead” other colleagues; they may also perform legal research and draft briefs. In general, the team of contract attorneys report to a firm associate who is responsible for a specific portion of the litigation. However, paralegals and other administrative support personnel may direct document review teams as well.

Contract attorneys are rarely hired as full-time law firm employees and typically work for placement firms. However, staff attorney positions are available — generally with larger firms in large legal markets. Given the contingency nature of the litigation process, contract attorneys may be summarily discharged, and often enough, without notice. Looking at this positively, contract attorneys enjoy flexible work schedules, and can exert a greater amount of control over their schedules than their employed counterparts. Many contract attorneys use that flexibility to pursue entrepreneurial, personal and creative endeavors, often as business owners, family care-givers, writers or advocates.

The Needle & Haystack

Still reading? Then you must want the job, no? As above, individuals may always hang out their personal shingle and go into

business independently. But, such a move shifts the entire responsibility of finding work onto the individual. Some non-profit organizations allow contract attorneys to list themselves on their database and within their circulated directory for a subscription price. These databases provide another potential reference for firms seeking contract work. However, many contract attorneys opt to register with recruitment agencies that have relationships with the larger firms, corporations and government agencies. These firms place thousands of contracted employees and are among the first to know when placement opportunities arise.

Punching Your Ticket

For those attorneys who choose contract work as a potential revenue source and seek to use a recruitment firm, affiliation with the right firm is crucial. The following inquiries may prove helpful with that decision making process.

1. How reputable is the firm and/or its affiliates in the legal industry?
2. Does the firm provide industry updates, career search counseling, etc.?
3. How seasoned is the firm; are recruiters involved in the legal community?
4. Is the agency merely a registry for attorneys and/or legal staff?
5. Will you be a firm employee or an independent contractor? Are there benefits in addition to wage earnings?

The questions above are not only relevant to



contract attorneys, but also to the business organizations that utilize recruiting firms. They know that lucid, informative exchange between the contract attorney, recruiting firm and hiring organizations generates win-win results for all parties. Therefore, recruiting firms representing their clients' needs AS WELL AS their candidates' desires are best equipped to make the perfect match! After you have posed the pertinent questions and actively selected the firm and the recruiters to whom you will offer your services, what can you do to ensure success?

It goes without saying — but just in case, let's say it anyway. If you're working with a recruiting firm and you are placed:

You only have one opportunity to make a first impression. So, dress the part! You may find that business casual is the norm and if that is the case, there will be no harm in dressing down on the SECOND day. However, under no uncertain terms — unless you are EXPLICITLY told otherwise — should you arrive on the first day in any way other than: punctually (15min. before the expected arrival time for those with suspect watches), hygienically impeccable, in business attire and sporting a polite smile with an eager, pleasant attitude to match. Unlike Virginia Slims, these things still go a long way- BABY!

Just as importantly, however — and perhaps even more so, since EVERYONE will be doing the above, right? — you may want to distinguish yourself with your placement firm. As opposed to merely submitting

your credentials (i.e. resume, cover letter, grades, references and/or writing sample) make sure that you also:

1. Inform your placement professional of your ideal opportunity, even if that's not a contract attorney position.
2. Make certain that you are accessible, responsive and thorough when you interact with your recruiter. Try to anticipate his/her requirements and actively assist in your own placement.
3. Keep your recruiter informed of your independent search efforts, friends at desirable firms, and places your resume has been previously submitted (either by yourself or through a different recruitment firm).
4. Keep your recruiting firm updated with careful records of your previous placements so as to facilitate conflict discernment.
5. If a client interview is necessary, be available and contact your recruiter immediately following your meeting.
6. Maintain contact with your placement professional regularly. Switching between a voice message and an email once every two weeks (no more than weekly) should be sufficient without over burdening her/his workload. Even when on an assignment, inform your office about your progress, who the firm has you reporting to, and any unexpected perks — or challenges?

With every employment or career decision,

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multiple factors must be considered. Because everyone's path to, from and within the Contract Attorney walk of life is unique, you're the only person who can discern whether this opportunity is right for you. If you decide to take on the challenges and reap the benefits that come with the job, referencing these suggestions should assist you in attaining the professional goals to which you strive!