

THE DAILY RECORD

WESTERN NEW YORK'S SOURCE FOR LAW, REAL ESTATE, FINANCE AND GENERAL INTELLIGENCE SINCE 1908

Rethinking what it means to be a lawyer

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“Lawyer: A person learned in the law; as an attorney, counsel or solicitor; a person licensed to practice law. Any person who prosecutes or defends causes in courts of record or other judicial tribunals of the United States, or of any of the states, or whose business it is to give legal advice or assistance in relation to any cause or matter whatever.”

— BLACKS LAW DICTIONARY, SIXTH EDITION

The last few months certainly have been memorable for the legal profession.

Massive layoffs at large firms and every other level of our profession are leaving unexpectedly unemployed, stunned lawyers in their wake.

Many attorneys are finding the subsequent job search difficult, and express frustration at the lack of positions available for them in the traditional legal setting.

Those lawyers would be well advised to think outside of the box, and to use their legal skills in atypical ways.

Technology and the recession are dramatically changing the legal landscape and the ways in which legal information is disseminated. Accordingly, the legal marketplace, now in an obvious state of flux, has been unable to absorb the glut of job seeking legal professionals who want to practice law in the traditional sense.

In order to maintain competitiveness and employability in the newly global and technologically advanced economy, lawyers must re-conceptualize their role within it.

The vast majority of lawyers define their skills too narrowly. That narrow definition of what it means to “practice law” was drummed into us while we were law students, and there continues to be a petty pecking order among lawyers.

Big Law attorneys sneer at small firm attorneys. Corporate attorneys look down their noses at litigators. Civil attorneys consider criminal attorneys to be the lowest of the low. Commercial litigators consider personal injury litigators to be bottom feeders. Criminal defense lawyers are convinced they serve a higher calling, and all others are selfish, greedy and incompetent.

Of course, all of the so-called “practicing” attorneys denigrate

the non-traditional career choices made by their “non-practicing” colleagues.

For example, a law school classmate of mine, Megyn Kelly, co-hosts FOX News Channel’s program “America’s Newsroom,” working as both a lawyer and a journalist. She is described in her bio on FOX News Channel’s Web site (www.foxnews.com/bios/tal-ent/megyn-kelly) as an attorney pursuing a career in journalism: “Prior to her career in journalism, Kelly, an attorney, practiced as a litigator with Jones Day in New York City, Chicago and Washington, D.C. before leaving to pursue journalism. She joined FOX News in 2004.”



Similarly, at his own Web site (www.alander-showitz.com/biography.php), Alan Dershowitz is described as a lawyer — among many other things: “Professor Alan M. Dershowitz ... has been called ‘the best-known criminal lawyer in the world,’ ... ‘the top lawyer of last resort.’ ... [He] joined the Harvard Law School faculty at age 25 after clerking for Judge David Bazelon and Justice Arthur Goldberg. ... He has also published more than 100 articles in magazines and journals. ... Professor Dershowitz is the author of 27 fiction and non-fiction works with a

worldwide audience. ... In addition to his numerous law review articles and books about criminal and constitutional law, he has written, taught and lectured about history, philosophy, psychology, literature, mathematics, theology, music, sports — and even delicatessens.”

In the tradition of many others before them, Alan Dershowitz and Megyn Kelly are using their legal knowledge to forge new career paths. They are lawyers, journalists and more.

A “lawyer” can be many things. As the legal landscape adapts to changes in technology and the economy, the opportunities for lawyers to use their degrees in unexpected and exciting ways only will increase. Those attorneys who see change as an opportunity to forge a new and unusual legal career path are innovative, forward-thinking lawyers, not “former” lawyers.

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