

Deferrals spell opportunity for Office of the Attorney General

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Daily Record Legal Affairs Writer

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The Office of the Attorney General will be getting some top-notch talent this fall — for free.

Some large law firms have promised to pay their deferred first-year associates a stipend if they find a job in public-interest law, meaning that many smart new law school graduates want to get temporary work with government or nonprofit agencies.

Since they are already being paid by their firms, the agencies do not have to shell out any of their own money.

That sounded like a great deal to the Maryland attorney general's office, said Deputy Attorney General John B. "J.B." Howard. The office is now accepting applications for fellowships.

The opportunity "sort of dropped out of the sky," Howard said. "I feel very sympathetic to their predicament but am glad that we'll be able to give them a good experience while they're waiting to start."

Howard said the program is targeted toward those who have been deferred from their big-firm jobs, but anyone is eligible. The office will ask that students commit to spending at least 10 months at the office.

The job will involve research, writing and document review as well as education on what kinds of work the attorney general's office does. Howard said he thinks it will be a good opportunity for young lawyers to see how government law works; the attorney general's office generally does not hire lawyers without three to five years of experience.

"If you want to be a public lawyer in Maryland and you're not interested in criminal work, you don't have a lot of options," Howard said.

The attorney general's office has already gotten a few résumés and several phone calls about the positions. Howard said he expects more in the coming weeks as more firms delay start dates.

Scott Lemmon was supposed to start working in the Washington, D.C., office of Ropes & Gray LLC this fall, but he will instead spend a year at the Maryland attorney general's office. Lemmon, who graduated from Harvard Law School in 2008 and has been clerking for a judge on the Massachusetts Supreme Judicial Court, said his firm told its associates that they could start in January 2010 or, with the firm's financial support, find a public-interest law fellowship.

Lemmon, who will be moving to Baltimore because his wife, a doctor, will do a residency here, said he heard about the attorney general's program through Harvard's Office of Career Services. He said he hopes his experience there — he hopes to be placed in the criminal investigations or criminal appeals division — helps him when he starts as a litigator at Ropes & Gray.

"I think it will give me an opportunity to get some hands-on litigation work that will help me out, make me a better lawyer down the road," he said.

So far, it looks as though the attorney general is alone among Maryland agencies in developing a large-scale program for deferred associates:

* A spokeswoman for the U.S. Attorney's Office for the District of Maryland said Department of Justice regulations prohibit hiring anyone who is being paid by a private law firm.

* A spokeswoman for the Office of the Public Defender said her office has had some requests from associates who want to spend their deferments there, but so far none has had criminal law experience.

* A spokesman for the Legal Aid Bureau said one firm, Ballard, Spahr, Andrews & Ingersoll LLP, contacted the bureau about sending associates, but no one has expressed interest.

* Kristine Dunkerton, executive director of the Community Law Center, and John Nethercut, executive director of the Public Justice Center, both said their organizations would be happy to take in deferred associates but have not yet signed up anyone.

* Phillip Robinson, executive director of Civil Justice Inc., said he would be interested in accepting deferred associates. But, he said, associates from certain firms, such as Ballard Spahr, would be ineligible because their employers frequently face off against Civil Justice.

Astrid Schmidt, director of law career development at the University of Baltimore School of Law, said the glut of young lawyers willing to work for government or nonprofits for free may hurt those who want to be paid.

Deferred associates scrambling for these positions are "closing the market for our students who [are] genuinely interested in public interest, public sector," Schmidt said.

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