

## CAREER PATTERNS OF BLACK GRADUATES OF RUTGERS UNIVERSITY SCHOOL OF LAW NEWARK, NEW JERSEY

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### I. INTRODUCTION

Rutgers—The State University School of Law, Newark, New Jersey has operated its Minority Student Program (MSP) since September 1968. MSP is a comprehensive recruiting, admissions, academic, placement counseling and support program. Approximately 200 black lawyers received their legal education at Rutgers Law School under the auspices of MSP.

This paper profiles 133 black Rutgers Law School alumni who graduated between the years 1971-1979. The purpose of this paper is to examine the entry points within the legal profession which have proved viable for graduates of Rutgers Law School.

### II. PUBLIC INTEREST

Of the 133 black graduates of Rutgers Law School represented in this paper a full quarter entered the legal profession through legal services. One reason for this significant percentage is Rutgers' reputation as a public interest oriented law school. The school has an extensive clinical program, and many of the clinics are available to Legal Services eligible clients. Because of these programs students experience an almost immediate relationship between legal service work and Rutgers Law School. Consequently many Rutgers' students are attracted to the school because of this relationship and seek employment with Legal Services upon graduation.

This percentage may also be attributed to the receptiveness of Legal Services to black law school graduates. Legal Services is the only one of thirteen employment categories that served as the entry point to the legal profession for at least one member of each class of graduates. From 1971, the year which saw the first graduating class of MSP black students, through 1979, black graduates have secured employment through Legal Services. Throughout the years in question the popularity of Legal Services as an entry point for black graduates has remained constant.

Most of the black graduates surveyed have taken advantage of the professional opportunities afforded them by Legal Services. They develop their practical skills and, after one or two years, move from Legal Services into other areas of the legal profession. Our survey found few graduates who took positions with Legal Services as a second or third career step. Legal Services has not, in general, served as a career objective for most black law graduates. Instead, Legal Services has served as a viable professional entry point.

Three of the black graduates surveyed have assumed significant administrative positions within Legal Services. One graduate, who entered Legal

Services upon graduation from law school in 1974, remained with the same office for six years. In that time the graduate has assumed the position of Office Director. A second individual, who entered the profession through a large "white" law firm in 1972, eventually became Director of Litigation at a Legal Services project. Finally, a 1971 graduate, the first black graduate of MSP to accept a position with Legal Services, became, after leaving Legal Services and working for the federal government and in private practice, General Counsel of a large metropolitan Legal Services project. These situations are unique. As a general rule, the black graduates of Rutgers Law School used Legal Services as a means of gaining entry to the legal profession.

Public Interest law was a professional entry point for only seven percent of Rutgers black graduates.<sup>1</sup> Again, because of Rutgers' reputation as a "public interest" school, many Rutgers students aspire to public interest work. Unfortunately, many organizations which might attract Rutgers' students do not have the financial resources to hire and train a novice attorney. Consequently, many black graduates of the law school who have an interest in public interest work are precluded from doing so either because the positions are not available, or because public interest organizations cannot pay enough to meet the beginning lawyer's needs.

Four Rutgers graduates began their legal careers either in clinical education or educational administration. Two graduates secured positions as clinical professors while the other two became directors of special admissions/affirmative action programs within legal education. Several other black graduates obtained positions within legal education after gaining experience elsewhere in the profession. The majority of these, however, were also in law school administration or clinical education.

### III. GOVERNMENT SERVICE

After Legal Services, the second most populous category of employment opportunity for black graduates was the federal government. The first black MSP graduate to enter the federal government was in the class of 1973. Thus, two classes graduated without placing one black student within the federal government. Since 1973, however, there has been a general increase in the number of black graduates entering the profession through employment with the federal government. This percentage has risen significantly over the last two years. For example, the class of 1977 saw thirty-two percent of its graduates enter the federal government and the class of 1979 produced a similar percentage.

It should be noted that black graduates from Rutgers have entered almost every federal agency and office. There are Rutgers graduates in the Department of Labor, the Justice Department, the Interstate Commerce Commission to name only a few. The federal government provides perhaps the most diverse employment opportunities for black Rutgers graduates.

State government provides access for another fourteen percent of black graduates. Interestingly, the number of black graduates securing positions

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1. "Public interest" refers to non-profit organizations or other entities operating for the purpose of addressing some societal need.

in state government upon graduation from law school has dwindled in recent years. This might be due to the state of New Jersey's adoption of a policy which requires bar admittance prior to employment.

Of the eighteen individuals who entered the profession through state government, sixteen entered as public defenders or as deputy attorneys. The other two entered through state commissions.

Municipal government accounts for nine percent of the entry positions. The majority of these jobs were with the City of Newark, New Jersey. This is a result of the close relationship between Rutgers Law School and the City of Newark. This relationship has allowed many students to work as interns and research assistants with the city during their school years. These student positions often led to full-time employment upon graduation. However, in recent years the number of positions in municipal government has diminished. This may be due to the fiscal crises that plague large municipalities throughout the country. Perhaps this is why the highest percent of black graduates filled positions within municipal government prior to 1974. Since 1974 the percentages have dropped off dramatically.

#### IV. JUDICIAL CLERKSHIPS

State judicial clerkships account for only five percent of the entry positions obtained by black Rutgers graduates. It should be noted that three of the seven clerkships identified in the study were secured with black state judges in the state of New Jersey. Further, it is the nature of judicial clerkships that they are most often positions awarded upon graduation from law school. To the extent that one does not secure a clerkship upon graduation, one, more often than not, never secures a clerkship.

Federal judicial clerkships, viewed by many as extremely prestigious and valuable professional experiences, have been virtually unattainable by black Rutgers Law School graduates. Only two of the black Rutgers Law School alumni included in this paper clerked for federal judges upon graduation from law school. In both of these cases, the judges were black. In addition, one black graduate indicated that, after acquiring some experience at a large law firm, he clerked for a federal judge.

#### V. PRIVATE PRACTICE

Private corporations rank fourth in this study. Ten percent of the black graduates entered the legal profession with positions in private corporations. However, no fewer than thirteen black alumni secured employment with private corporations as a second or third career step. Private corporations, which have historically been viewed as unreceptive to black law school graduates, ranked relatively high in our profile.

Large "white" law firms<sup>2</sup> account for five percent of the entry positions identified. Although some may think that a position in a large white firm is a likely second or third career step, our study shows that no black law school graduate moved from another position within the legal profession to a position with a large white firm. The only black graduates employed by large

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2. Large "white" law firms are defined as those white law firms with twenty or more attorneys.

white firms gained employment immediately upon graduation from law school.

Small white law firms<sup>3</sup> account for only two percent of black graduates. This may be due to the limited resources available to such firms. They may be unable to hire and train the novice attorney. On the other hand, this small percentage may be the result of a lack of interest on the part of black graduates.

Last among our categories, ironically, is the "black" law firm. Within this category we did not differentiate between small and large firms. Instead we merely sought to identify those graduates who had entered the profession by securing employment with a firm which had a significant percentage of black attorneys. We found that only one black graduate of Rutgers Law School has entered the profession through a position with a black law firm. This occurred in our most recent graduating class. The lack of entry positions in this area is due, to a large extent, to the very limited resources which black law firms have available to them. Many, if not most, black law firms are relatively small operations. Therefore, the prospect of their being able to hire and train a recent law school graduate is very small.

Within the category of "black" law firms, we also included solo practice. Only one black graduate of Rutgers Law School entered a solo practice immediately upon graduation from the law school. One might speculate that the reason for this is that a majority of black law school graduates seek to gain some practical experience prior to assuming the responsibilities of their own practice. This speculation is borne out by the survey in that no fewer than fourteen of the 133 graduates questioned entered solo law practice after having attained some practical experience in another position. Another ten of our graduates started a firm or partnership after gaining practical experience. Thus, the survey seems to clearly indicate that the black graduates of Rutgers have been patient. They have attempted to prepare themselves for private practice by seeking employment and experience elsewhere prior to embarking on their own.

## VI. CONCLUSION

This paper, while in no way exhaustive, seems to indicate that black graduates of Rutgers Law School engage in the application of their legal skills in a number of different areas and within diverse arenas. Opportunities apparently exist within a wide range of employment possibilities. It does not appear that the more "prestigious" positions have been available to Rutgers' graduates. Most notably, federal judicial clerkships appear to be lagging far behind all categories other than those with very limited financial resources.

The range of employment positions held by black Rutgers Law School graduates has grown as the size of the black student population within the law school has grown. Further, it is evident that those areas which have historically hired black graduates continue to do so, with the exception of municipal governments.

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3. Small "white" law firms are defined as those white law firms with less than twenty attorneys.

Finally, it would appear that the black law firm is only now reaching the point in its development where it can begin to provide entrance into the legal profession for black graduates. As the number of black attorneys and their experiences increase, it is expected that the number of black law school graduates hired by these firms will increase.

## CAREER PATTERNS OF BLACK YALE LAW SCHOOL GRADUATES: FROM YOUNG BLACKS TO OLD BLUES

James A. Thomas

### I. INTRODUCTION

An analysis of the career patterns of black Yale Law School graduates must refer to one important aspect of the total Yale environment. The matter I refer to is elitism. How students perceive themselves and their setting has a great deal to do with what they consider legitimate career alternatives. Student self-perception also affects academic success within the law school. Low self-esteem breeds low self-confidence which, in turn, results in low achievement. In an atmosphere which is pervasively elitist, black students sometimes have an extra measure of concern in their struggle to maintain acceptable peer relationships while, at the same time, maintaining self-esteem.

It has been my fortune, good or ill, to be privy to a great deal of the innermost concerns of law students at Yale, white and black, who, uniformly, panic a bit when they realize that real career choices are imminent. More than just a few of these students came to law school in large measure because doing so provided a means of postponing a significant career decision. When the third year arrives, and the inevitable, postponed decision reappears, it is a time of crisis for some and a period of varying degrees of agony for many others.

To set the record straight in this matter, it is necessary for me to say something about the perspective from which my observations are made. For the past ten years, I have been responsible for admissions to the Yale Law School. For most of that time I have also served as the primary counselor for students in the J.D. program. I am an attorney. I am black.

### II. THE FIRST YEAR

Upon entering law school even the most confident black student may experience attacks to his/her self-esteem. Preconceived notions of the intellectual depth of the University feed upon periodic reinforcing observations of brilliance and achievement. Perceptions of brilliance come first. Later, like a time-release capsule, come discoveries of staggering achievements