WHAT IS PUBLIC SERVICE?

“Public Service” is a general term used to describe two areas of legal work:

1. **Public Interest**
   - Deals with public issues/policy/legislation
   - Nonprofit or For-profit entities
     - Nonprofit organizations
     - For-profit law firms with a public interest focus/sector

2. **Government**
   - Includes Federal, State, and local positions

PUBLIC INTEREST

The term “public interest law” is often used to refer to legal areas that focus on and affect public interest issues. Public interest practice includes those organizations representing the public as attorneys for nonprofit organizations. This is a diverse sector of the legal services market and encompasses virtually every area of substantive legal work, including advocacy to influence public policy or legislation. Some organizations engage in direct representation of individual clients while others advise governmental agencies as a part of the decision-making and policy-making process.

For-profit and Nonprofit

Public Interest firms that work in the public interest sector may be nonprofit organizations or for-profit law firms with a public interest orientation. These firms often specialize in a particular practice area, such as environmental law or utility rate cases. In addition, a few legal positions such as the Guardian ad Litem or Public Defender, often fall under the definition of both public interest work and government work.

Public Interest and Law Firms

Public interest employers share many characteristics with private law firms. The work performed, research required, and skills utilized differ little from those required in a private firm, except that new attorneys often have more opportunities to meet with clients or appear in court soon after taking a
public interest job. The public interest sector often differs most from the private sector in clientele, resources, and areas of practice. The most pronounced difference between firm practice and public interest practice is the amount and variety of resources available to the attorney. Public interest practitioners tend to work long hours and have limited budgets.

Public interest law covers a wide range of areas and issues, making it difficult to fit public interest legal work into a static definition. As such, many types of public interest employers exist.

Types of Public Interest Employers

**Legal Service Organizations**

Legal service agencies are non-profit organizations that represent indigent clients in civil cases. Some agencies are limited to handling only certain types of cases, such as domestic violence or children's rights, while others engage in community advocacy or impact legislation. In some areas of the country, legal service support centers have been established to provide additional assistance to attorneys in the local legal services offices. Interns in these offices often research issues relevant to cases in a number of offices.

**Public Interest Policy and Advocacy Groups**

These organizations are primarily concerned with influencing governmental policy through regulatory comment, lobbying, and advocacy. While there is some overlap, most of these organizations do not engage in much litigation. Generally, these organizations have an issue focus (e.g., gun control, hazardous waste, or women's rights), and they can be found on both the liberal and the conservative side of an issue. Interns in these settings often research the status of legislation, draft regulatory comments, and provide information to policy makers.

**Public Interest Litigation Groups**

These groups primarily seek to litigate or support litigation that impacts particular issues. Often these organizations separate their litigation branch from their policy branch (e.g., NOW's Legal Momentum and NOW National Headquarters), though sometimes these organizations combine public policy and public interest litigation functions.
Public Interest Environmental Organizations

These organizations work to protect the environment or to implement programs benefiting the environment. They work in a diverse range of environmental areas, including land trusts, environmental policy organizations, environmental litigation, and preservation organizations.

Trade and Professional Associations

These associations and organizations represent the interests of their members in a variety of contexts. Professional associations generally work in areas of legislative or regulatory policy that impact their membership. Similar positions are found in labor unions.

Advantages of Public Interest Work

The primary advantage of public interest work is that attorneys can use their education to promote an idea they firmly believe in. For example, an attorney who strongly believes that the U.S. educational system should be changed can do legal work for an organization that strives to develop and implement a new national education plan. Public interest attorneys work for a wide variety of organizations that fall on both sides of any given issue— the NAACP, the ACLU, the John Birch Society, and many more. Public interest attorneys are typically promoting their own agendas as they work for the public good, so they are generally much more satisfied than their private-practice counterparts.

The nature of public interest organizations also offers unique opportunities to gain legal experience. New attorneys and legal interns will often be given substantial responsibility and will be exposed to policy issues typically not encountered in the private sector. For first-year students, these positions often provide valuable exposure to legal practice and the opportunity to begin building a resume for future legal positions.

Additionally, those employed in public interest careers are eligible for tax breaks. The Federal Government also offers a student loan forgiveness plan for those employed in public interest careers for 10 years or more. For details, see: (www.equaljusticeworks.org/resources/student-debt-relief). Students can also contact MariLee Allred, the Public Interest Advisor, for additional information and resources.
Disadvantages of Public Interest Jobs

The primary disadvantage of public interest work is the lack of funding. A substantial number of public interest employers pay a modest salary to their attorneys. Many public interest employers are unable to pay students that work with them during the summer, or are able to pay only a small stipend to their summer interns.

To assist law students who are interested in the public interest sector but who cannot afford to work for free, the BYU Law School Public Interest Law Foundation provides a limited number of scholarships. Some corporations and law firms also offer fellowships to attorneys and law students interested in public interest work. Information on these scholarships and fellowships can be found in the CSO Public Interest Handbook.

In addition, several national programs provide grants or stipends for legal interns to work with specific organizations. These programs are often sponsored by groups concerned with public interest law, such as the National Lawyers Guild, or are programs covering legal positions in government, such as the New York Legislative Intern Program.

Occasionally, the budgetary restrictions mentioned above can also limit the amount and quality of preparation that an attorney can do. It is not uncommon for a public interest attorney to be unable to call an expert witness or to pursue a large appeal because of a lack of funding.

An additional disadvantage of public interest work is the lack of prestige associated with many of the positions. While some government and public interest positions are well respected, others are not as glamorous. Because of this, an image-conscious attorney whose primary goal is prestige and recognition may not choose public interest work.

When choosing a placement for the summer after their second year, students should take into account the work they hope to do after graduation. Students that plan to work in public interest after graduation should seek a public interest clerkship or externship, but students that would like to work in the private sector should seek a private sector clerkship or externship for their second summer. Recent graduates who are interested in public interest work but are also considering making a move to the private sector later on
should focus on public interest employment opportunities that will help them develop skills that will also be marketable in the private sector.

Getting a Public Interest Job

Unlike law firms, which typically recruit heavily in the fall, public interest employers may interview and select summer interns and new associates at any time during the year. Students seeking a public interest position should not only look at the job notices on the Career Services website, but should also consider directly contacting agencies in which they are interested. Because many agencies have difficulty finding funding for their interns, students are encouraged to contact agencies early, so that they can consider other funding sources if the employer is unable to compensate them. In addition, public interest fellowship applications for graduating students often have early deadlines, typically in October or November. Public interest positions are not always easy to find, but students who persist will usually be able to land a position that they will enjoy.

For More Information

cso Public Interest Guidebook – www.law2.byu.edu (click on: Current Students > Careers > Guidebooks > Public Interest Guidebook)

Contains information about public interest law and provides resources for pursuing a public interest career.

The Directory of Legal Aid and Defender Offices in the United States – www.nlada.org

Information about and membership listing for the National Legal Aid and Defender Association (NLADA).

Equal Justice Works – www.equaljusticeworks.org

A national organization that promotes public interest law through career fairs, fellowships, and general information.

PSJD.org – www.psjd.org

NALP’s public interest website, provides a searchable database of information about public interest job openings and career resources.
GOVERNMENT WORK

The government, at the federal, state, and local level, is in a constant state of change. New legislation can produce new programs and new legal responsibilities. Legal staffs may be reorganized or augmented to meet these responsibilities. At the same time, priorities shift, financial resources are reallocated, agency responsibilities can diminish, and legal staffs may be reduced. Thus, while the basic outline of the government’s legal establishment remains constant, elements of the substructure expand and contract in response to a broad range of political and public demands.

For attorneys interested in a government career, this continual change means that employment opportunities are constant and varied. Taken as a whole, the range of governmental legal responsibilities is so diverse that there is probably no legal specialty that remains unrepresented. For example, government attorneys may be experts in everything from state water law to national agricultural trade regulations to international space law. In addition, government attorneys engage in contemplative legal research as well as aggressive prosecution.

Further, because the federal government hires more attorneys than any other employer in the United States and because state governments are often the largest employer of attorneys within a state, legal positions are generally always available.

Entry-level attorneys are recruited from law schools and experienced attorneys are recruited from the private sector and from other levels of government. Positions become available as staff attorneys are promoted, retire, move laterally to another division or agency, or move to the private sector or to public interest law.

This revolving-door aspect of attorneys migrating between the public and private sectors is a long-standing phenomenon, one which continues to flourish.

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Types of Government Employers

Federal Government

Federal attorneys deal with issues affecting the federal government or U.S. citizens generally. For example, federal attorneys deal with issues such as government contracts, welfare reform, environmental protection, criminal justice, representation of the indigent, transportation policy, military policy, immigration and emigration, worker health and safety, and employment discrimination. Federal government attorneys might work for:

- The Department of Justice (DOJ)
- The U.S. Attorney’s office
- A federal agency (e.g., SEC, IRS, INS, FTC)
- A congressional committee, senator, or representative on Capitol Hill
- A federal judge
- Military JAG attorney

State Government

State government jobs are often substantively similar to federal jobs, but they deal with issues primarily affecting the state and its citizens instead of the United States. For example, state attorneys work with issues such as state government contracts, weapons laws, education, drug and alcohol enforcement, and state securities law. States often have agencies and departments that mirror federal agencies, such as a state environmental commission and a state department of transportation. State government attorneys might work for:

- The State Attorney General’s office
- The State legislature
- State Courts or Judges
- State Agencies

Local Government

Government jobs are also available on the county and city levels. City and county attorneys represent government agencies and provide legal advice to municipal agencies. They also generally perform transactional legal services in the areas of government contracts, real estate, and employment. Attorneys in this context may enforce municipal ordinances and may work
in diverse areas such as education law, environmental law, zoning, labor negotiations, and civil rights. Employers include:

- City or county prosecutors
- Public Defender’s office
- The city or county attorney’s office

Public Defenders’ Offices

Public defenders represent indigent clients in criminal cases. The offices may be part of a centralized system or may be localized. In larger jurisdictions, the public defender’s office may be divided into units dealing with specialized practice areas, such as appellate or juvenile. Additionally, many jurisdictions provide for private attorneys to handle public defender cases on a contract basis.

Tribal Government

An increasing number of federally recognized Indian tribes provide employment opportunities for attorneys who are dedicated to the cause of Native Americans. Attorneys who work for Indian tribes perform many of the same functions as attorneys in other levels of government, and often work in cooperation with state and federal government entities.

Advantages of Government Work

Probably the greatest advantage of a government legal career is that it offers an entry- or mid-level attorney a degree of responsibility generally not offered to private-sector attorneys with similar work experience. Government attorneys participate directly in legal and policy actions that have an immediate impact on public and private interests. Their work is often reflected in the headlines of the media. Whether it is tax simplification, water law disputes, Wall Street scandals, education reform, international trade conflicts, the war on terrorism, illegal technology transfers, or immigration reform, government attorneys are on the front line—analyzing legal issues, framing remedial legislation, writing and implementing regulations, and handling litigation and enforcement actions.

In addition, because government lawyers are not competing for clients or attempting to make a profit for their organization, they are freed from the constant pressure to get new clients and to bill hours. This allows them to
concentrate on solving legal issues rather than on wooing prospects. It also allows most government lawyers to work reasonable hours.

Government legal positions may also be very prestigious. Counsel for the U.S. Attorney’s Office or a state attorney general’s office is often well respected among the legal community. However, not all government positions carry this level of prestige and respect.

Finally, government attorneys have the opportunity to specialize in a particular area of the law. Many attorneys use a government job as a stepping stone into a career with a law firm or as corporate counsel. If this cross-over advantage is appealing, keep in mind that specialization is valuable only if there is a similar area of specialization in the private sector. For example, government attorneys that specialize in areas such as banking, tax, securities, or environmental work will have less difficulty making a lateral move into private practice than will government attorneys specializing in nuclear weapons issues, international space issues, or railroad issues.

Disadvantages of Government Work

The pay scale is the largest disadvantage of government work, but the benefits, pension, etc., will compensate for a lower salary. Generally, state or local government agencies start most law school graduates at lower salaries than the federal government, which starts attorneys at a GS-11 pay scale. If you are interested in a large paycheck and a cut of the partnership profits, government work is definitely not for you, unless you plan to move laterally to a law firm at a later date.

Another disadvantage is that a government attorney who plans to move to the private sector must often do so before practicing for too many years. It is often difficult to move with more than four or five years of government experience. However, most agencies and departments are not eager to expend resources training attorneys just to send them into private practice after two years. In order to retain attorneys after training, many agencies require that newly-hired attorneys make a time commitment of three to four years. Some government agencies have new attorneys expressly agree to this time commitment, but most treat the commitment less formally, though not less seriously.
A third disadvantage of government work is that federal executive-level officials who have worked for a department or an agency may not appear before that department or agency for one year after leaving. For example, if an attorney leaves her job at the Equal Employment Opportunity Commission, she may not represent a client before the EEOC for one year. In addition, special conflicts of law rules apply to government employees. For instance, federal government employees may not represent people on matters that fell under their responsibility during their last year of government service. Some excellent lawyers who would otherwise be interested in government work do not take government jobs because they do not want to limit their post-government options.

Finally, some government jobs, especially high level jobs on Capitol Hill and leadership positions in government agencies, may require a particular political affiliation. For instance, an appointment as White House legal counsel will depend on knowing politically connected people and having the same political affiliations as the current president. For those who do not enjoy networking or do not have strong political ties, seeking and keeping such a position may be frustrating.

**Getting a Government Job**

**Federal Government Jobs**

USAJobs (USAJobs.gov) is the Federal Government’s official source for Federal government job listings, job applications, and employment information. The site allows job seekers to search for openings by location, keyword, or within a specific Department of Justice agency. By registering with the site, you can create a resume, apply to Federal Government jobs, and receive automated job alerts. **NOTE: This site replaces any other forms that were once necessary to apply for government employment (i.e., OF-612, SF-171).**

If you have questions regarding a position to which you are applying, you should speak to the human resources contact listed on the job announcement. An A-Z index of U.S. agency/department contact information can be found at [http://www.usa.gov/directory/federal/index.shtml](http://www.usa.gov/directory/federal/index.shtml).

Having ties to a particular geographical area may be helpful in obtaining some jobs, particularly jobs on Capitol Hill. Some senators and representatives prefer to hire counsel from their home states. Chairs of congressional
committees also may prefer to hire committee counsel from their home states.

Government Salary

Law school graduates generally start at a GS-9 or GS-11 (“General Schedule”) pay scale. It is important to note that there are variations in pay based on geography or calculated cost of living differentials. For example, in 2011 an attorney starting as a GS-11 would earn $62,467 in Washington, D.C. while someone in the same position would earn $67,963 in San Francisco, CA.

State Government Jobs

The hiring process for positions in state government often seems like a maze of bureaucratic red tape. Unlike private employers, state agencies and departments have regulations governing how they must choose the most qualified applicant. Likewise, state personnel policies may embody other criteria (e.g., preference for veterans) that further impact the selection process.

While at first glance, hiring procedures may seem confusing, the states generally follow one of four patterns for applications for legal positions. The basic patterns are:

- Centralized listings and application process
- Direct agency recruitment
- A register of qualified applicants
- Attorney General selection

Each of these processes is used to fill attorney vacancies in some states. Only by being familiar with the pattern used by government agencies in your state can you be assured that your application will receive appropriate consideration.

Centralized listings and application process

States that utilize centralized listings and application processes generally require that applications be made to the state personnel agency. Applications often must be for a specific advertised position and made within the vacancy period. Because vacancy announcements may be requested from one source, this process has the advantage of centralizing all attorney positions in one location, but requires the applicant to repeatedly check the vacancy listings for job openings.
Direct agency recruitment

The opposite of the centralized process is direct agency recruitment for attorney positions. In this case, each agency lists its own positions, establishes application requirements, and hires with little involvement by the state personnel agency. While this process has the advantage of less formality, it requires that the potential applicant contact each agency to determine if there are, or are likely to be, any attorney vacancies.

Register of qualified applicants

The third hiring process often used by state governments is the establishment of a register of qualified applicants. In this process, applicants submit application materials to state personnel to have their qualifications examined for positions that may arise within state government. Generally, this examination process does not require any additional testing beyond the bar exam. Once the applicant’s materials have been rated, the applicant will be placed on the register and referred to agencies with vacant positions for attorneys. In states utilizing this procedure, applicants must be hired from the register. For this reason, applicants are encouraged to regularly update their materials to achieve a higher ranking on the register.

Attorney General selection

The final pattern of state hiring is that of Attorney General selection. In states using this method, the Attorney General is responsible for representation of all state agencies and all attorneys are hired as Assistant or Deputy Attorney Generals. Once hired, the Assistant Attorney General is assigned to represent a particular state agency.

County and City Jobs

Each county and city has its own hiring process. Contact the county or city personnel office, or the county or city attorney’s office directly, for more information.
For More Information

BYU CSO website, Government Section – www.law2.byu.edu (click on: Current Students > Careers > Resources > Government)

Links to various government agencies, including federal, state, and local governments. Includes links to judicial clerkship, public interest, and other government-related employment resources and sites.

Why the U.S. Government?

There are many benefits to working for the U.S. Government. Government work allows you the satisfaction of serving the public and the nation. You are often given significant responsibility and the work is intellectually challenging. Along with these benefits, you can take any bar exam, transfer geographically and to other employers, and receive one of the highest salaries in the public sector. The College Cost Reduction and Access Act (CCRAA) is an act which lowers monthly student loan payments on federally guaranteed student loans and cancels remaining debt for public servants after 10 years of public service employment. The reduction in loan debt can defray part of the difference between the government pay scale and firm work.

There are opportunities available in each of the branches of government in a variety of practice areas. The following list is provided to give you an idea of the agencies in which opportunities available. For more specific information on externship and job opportunities during and after law school research the individual agency.

Intellectual Property
- Department of the Air Force
- CIA
- Department of Commerce
- Committee on the Judiciary
- Department of the Navy, OGC
- Smithsonian Institution
- Office of the US Trade Representative
- U.S. Army Corps of Engineers, Civilian Honors Program

International
- CIA
• Department of Commerce
• Department of Commerce, NOAA, OGC
• Export-Import Bank of the US, OGC
• Federal Aviation Administration, OCC
• Federal Bureau of Investigation
• Federal Communications Commission
• Overseas Private Investment Corporation
• Department of State
• Department of Transportation, Office of
• Department of Treasury, General Counsel
• U.S. Agency for International Development
• U.S. Trade & Development Agency
• Office of the US Trade Representative
• U.S. Army Corps of Engineers, Civilian Honors Program
• Department of Homeland Security, Office of Personnel Management

Financial and Commercial
• Department of Commerce
• Commodity Futures Trading Commission
• Export-Import Bank of the US, OGC
• Federal Aviation Administration, OCC
• Federal Reserve Board
• Committee on the Judiciary
• Comptroller of the Currency, Law Department
• Federal Trade Commission
• Institute of Museum & Library Services
• U.S. Justice Department Honors Program
• U.S. Justice Department Summer Law Intern Program
• National Gallery of Art
• Department of the Navy, OGC
• Overseas Private Investment Corporation
• Pension Benefit Guaranty Corporation, OGC
• Public Defender Services for DC
• Securities & Exchange Commission
• Small Business Administration
• Federal Deposit Insurance Corporation,
• Institute of Museum & Library Services
• Office of Personnel Management, PMF Program
Environmental
- Department of the Air Force, OGC
- Department of Commerce—Alaska Regional Counsel (NOAA)
- Department of Defense
- Department of Energy, OGC
- Environmental Protection Agency
- Federal Aviation Administration, OCC
- Federal Energy Regulatory Commission
- Department of the Interior, OGC
- Department of the Interior, Pacific NW Region
- U.S. Justice Department
- Department of the Navy, OGC
- Nuclear Regulatory Commission OGC
- Smithsonian Institution
- Department of Transportation, FHA
- Office of the US Trade Representative
- White House Internship
- U.S. Army Corps of Engineers, Civilian Honors Program
- CIA
- Federal Bureau of Investigation
- Department of Homeland Security
- Office of Personnel Management, PMF Program
- Department of State
- Federal Communications Commission
- Overseas Private Investment Corporation
- U.S. Agency for International Development

Entry-Level Positions
- Honors Programs (contact the CSO for the password) – www.law.arizona.edu/career/honorshandbook.cfm

Practicing Law in the Military (Enlisted or Civilian)
- U.S. Coast Guard JAG Corps – www.uscg.mil/legal
• U.S. Marine JAG Corps – www.marines.mil/unit/judgeadvocate/Pages/Home/SJA_to_the_CMC.aspx
For More Information

BYU CSO website, Government Section – www.law2.byu.edu (click on: Current Students > Careers > Resources > Government)

Links to various government agencies, including federal, state, and local governments. Includes links to judicial clerkship, public interest, and other government-related employment resources and sites.

USAJobs.gov - www.usajobs.gov

USAJobs is the Federal Government’s official source for Federal government job listings, online job applications, and employment information.


Comprehensive, searchable index of all U.S. Government Departments and Agencies and their contact information.

American Foreign Service Association – www.afsa.org

Links to the United States Foreign Service, which lists employment opportunities and websites for other foreign affairs.

Internships USA – www.internships-usa.com

Internship website with more than 3,000 organizations offering internships for college and law students. Contact the CSO for the password.


Contains an extensive, up-to-date listing of all legal jobs in the federal government.

U.S. Department of Justice, Office of Attorney Recruitment and Management – www.usdoj.gov/oarm

Information regarding the Attorney General’s Honors Program and the Summer Law Intern Program.
Federal Research Service – www.fedjobs.com

A private organization which maintains a searchable database of federal government jobs. Choose an occupation and narrow your search by location, agency, and other criteria.

The University of Arizona Government Honors Handbook – www.law.arizona.edu/career/honorshandbook.cfm

Contains hiring procedures and details for numerous government agencies at the federal, state, and local level. Contact the CSO for the password.