The Federal Legal Employment Opportunities Guide 2014-15



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2014-2015 Federal Legal Employment Opportunities Guide

FOREWORD & ACKNOWLEDGEMENTS

The 2014-15 Federal Legal Employment Opportunities Guide is a publication of NALP and PSJD.

Both the online content and print version of the Guide are the products of hard work and creative thinking from NALP members. We wish to thank:

All members of NALP's PSJD Job-seeking Resources Work Group, who will
continue to provide updated content and produce new resources in response to the
law school community's needs.

We hope that you find this print version of the Guide, which is an abridged version of the online content, to be a useful resource. We encourage you to view all of PSJD's federal career resources at http://www.psjd.org/Governmetn_Careers.

If you have questions or suggestions, please contact me at cjackson@nalp.org.

- Christina Jackson, NALP Director of Public Service Initiatives & Fellowships

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PART ONE: INTRODUCTION & HOW TO USE THE GUIDE

At first glance, seeking and applying for federal jobs can seem incredibly overwhelming, and job-seekers may not know where to begin. The Guide contains:

- information about the benefits of a career in federal government;
- a look at the various kinds of work attorneys perform;
- an overview of where the most attorney jobs are (and will be) in the executive branch;
- resources to aid in finding the ideal opportunity; and
- tips on application processes.

NOTE: in addition to content offered in the Guide, NALP offers expanded content and resources on PSJD's Federal Government Careers page:

<u>http://www.psjd.org/Government_Careers</u>. We encourage readers to use the online content in tandem with the Guide. Online content offers the ability to:

- browse a clickable table of contents to immediately identify the most useful content;
- use dozens of hyperlinks in the Web content to click through to numerous useful online federal career resources; and
- benefit from continuous addition to and revision of online content instead of waiting for the annually updated print edition.

Nevertheless, there is great value in having a hard-copy resource to print, read, mark up, and share with others. In the following pages, we highlight the key elements from the online content and direct readers to visit PSJD and other websites for additional resources.

PART TWO: WHY WORK FOR THE UNITED STATES GOVERNMENT?

Federal employment offers significant responsibility early in one's career, intellectually challenging work, and unique opportunities to serve the public good in any number of capacities. In addition, the federal government offers the highest attorney salaries in the public sector and wonderful work/life benefits, including reasonable and flexible work hours. Government lawyers work on everything from constitutional issues to coal mine safety regulation. Also, they work in all three branches of government, although most are employed in the executive branch.

Reasons to consider federal employment:

- From Constitutional Law to Coal Mine Regulation There is an enormous variety of legal work to be done in the federal government. Attorneys work in all three branches of government in numerous capacities, including litigating civil and criminal cases, counseling lawmakers, drafting statutes and regulations, issuing administrative legal opinions, and much more. Remember, also, that "attorney" is not the only job type to look for. Other legal specialties include hearings and appeals, contract representation, claims assistance, law examining, administrative law judges, investigators, and more.
- *Immediate Responsibility* Attorneys working for the federal government develop key leadership skills quickly as a result of managing their own caseloads and other significant immediate responsibilities.
- Where in the World? 85% of federal jobs are located outside of the Washington, DC area, and almost 50,000 federal employees work outside the United States.
- Lighten the Debt Load Many federal agencies have their own loan repayment assistance programs. Learn more about federal student loan repayment programs at http://www.gogovernment.org/government 101/student loan repayment.php. Also note that the College Cost Reduction & Access Act can benefit attorneys working in the federal government. Learn more about the CCRAA on Equal Justice Works' Student Debt Relief page at http://www.equaljusticeworks.org/eddebt.
- *High-end Public Interest Pay* Federal jobs tend to pay better than jobs with nonprofit organizations. Starting salaries for entry-level federal attorneys are generally in the \$50,000 range. From there, federal attorneys can move up the salary scale quickly.

Pick up more general information about federal government career opportunities at Go Government, a federal careers website operated jointly by the Office of Personnel Management and the Partnership for Public Service: http://gogovernment.org/.

PART THREE: TYPES OF PRACTICE FOR LAWYERS IN THE FEDERAL GOVERNMENT

Branches of Government

All three branches of the federal government employ attorneys: the **executive** (the President and his or her administration), the **legislative** (the Senate and the House of Representatives), and the **judicial**. In addition, the federal government includes many independent agencies such as the National Labor Relations Board, the Federal Communications Commission, the Federal Reserve System and the Legal Services Corporation. Among the three branches and independent agencies, the executive branch and independent agencies employ the greatest number of attorneys. In March 2014, there were more than 107,000 employees with law-related positions in executive and independent agencies. In contrast, the number of attorney jobs in the legislature is smaller, as is the number of jobs with the judiciary. (For more information about working for Congress, see Yale Law School's Guide, "Working on Capitol Hill" at http://www.law.yale.edu/documents/pdf/CDO Public/CDO Working On Capitol Hill Public/CDO Working on Political Campaigns" at http://www.harvard.edu/current/careers/opia/toolkit/guides/document/guide-campaign.pdj.)

Practice Areas

When most law students think of being a lawyer, they think of litigation – filing and trying lawsuits in court. But lawyers in the federal government are just as likely to draft and interpret regulations, advise and counsel other federal employees, and shape policy.

- **Litigation** There are several ways to litigate for the federal government.
 - O If you know you want to litigate, consider the Department of Justice (DOJ). DOJ is the central agency for the enforcement of federal laws and consequently is the main litigating branch of the U.S. government. DOJ is composed of headquarters in DC and 93 U.S. Attorney's Offices throughout the country. The President appoints a United States Attorney to each of the 94 federal districts (Guam and the Northern Mariana Islands are separate districts but share a United States Attorney).
 - ODJ hires dozens of recent law graduates every year through the Attorney General's Honors Program (http://www.justice.gov/careers/legal/). Most honors positions are in DC, though a few are in other major cities throughout the country. Honors Attorneys work in various offices that range from Civil Rights to the Executive Office for Immigration Review.
 - O In addition to DOJ, attorneys at many other federal agencies are also involved in litigation—and many also have honors programs. Offices with independent litigating authority include the Department of Labor, Office of the Solicitor and the Securities and Exchange Commission, Division of Enforcement. Finally, the majority of agencies have "coordinate jurisdiction" with DOJ, meaning that DOJ attorneys initiate all lawsuits and handle any depositions and oral arguments, while the agency attorneys draft the legal papers and provide the subject-matter expertise.

- Regulatory Regulatory lawyers are at the forefront of forming and enforcing new rules. Agencies such as the Food and Drug Administration (FDA), Environmental Protection Agency (EPA), Occupational Safety and Health Administration (OSHA), and many others are considered regulatory agencies, because they are empowered to create and implement rules and regulations.
- Advisory Some attorneys at DOJ do not litigate but instead provide advice and counsel; for example, attorneys in the Office of Legal Counsel and the Federal Bureau of Prisons rarely litigate and focus instead on providing analysis and advice. If you think you would enjoy working with clients to help them comply with the law, you should investigate "attorney advisor" or "counselor" positions. For example, lawyers at the Food and Drug Administration are divided into "counselors" and "litigators." The counselors work on congressional inquiries, Freedom of Information Act requests, rule-making and citizen petitions.
- **Public Policy** Individuals who want to work in public policy should focus on positions in addition to traditional "attorney" positions. Agencies that are engaged in a lot of policy work include the Department of State, Department of Commerce, and Congressional Research Service.
 - O An excellent point of entry to federal policy-making is the Presidential Management Fellows Program (PMF). The PMF Program is a two-year fellowship that places over 400 graduating graduate students (including J.D. 3Ls and LL.M.s) in public policy and management positions with executive agencies. Possible placements include the Department of Defense, the Department of Veterans Affairs, the Department of State, the Department of Housing and Urban Development, and many other agencies. Detailed information is available at the PMF website: www.pmf.gov/.

PART FOUR: WHERE THE FEDERAL GOVERNMENT JOBS ARE - FINDING JOBS AND IDENTIFYING THE AVENUES TO GET TO THEM

This section offers data on current federal attorney staffing and anticipated future hiring needs, reviews the most common points of entry to employment for attorneys **and law students**, and highlights opportunities for legal careers in the U.S. military.

Where the Jobs Are, and Where They Will Be

There are approximately 107,789 employees working in the legal field in executive and independent agencies. Examples of these types of jobs include attorneys, law clerks, paralegal specialists and contract representatives. The following figures take account of individuals working in the United States, U.S. territories, foreign countries and unspecified locations; they include cabinet level agencies and large, medium and small independent agencies. At the cabinet level, the agencies that employ the most individuals in <u>law-related positions</u> are:

<u>Agency</u>	Employees as of March 2014
Department of the Treasury	20,333
Department of Veterans Affairs	17,748
Department of Justice	15,735
Department of Defense*	5,966
Department of Homeland Security	3,517

There are approximately 35,347 general attorneys employed by the federal government in the United States, U.S. territories, foreign countries and unspecified locations; this figure includes cabinet level agencies and large, medium and small independent agencies. At the cabinet level, the agencies that employ the most <u>attorneys</u> are:

<u>Agency</u>	Employees as of March 2014
Department of Justice	10,295
Department of Defense*	3,330
Department of the Treasury	2,196
Department of Homeland Security	2,069
Department of Commerce	938

^{*}For purposes of categorization, we have combined all of the military branches— Department of the Air Force, Department of the Army, and Department of the Navy with the Department of Defense employees, as reported in Fedscope.

Additional Notes: There is a wide variety of opportunities available for both attorneys and individuals with legal backgrounds at federal agencies across government. From the Federal Communications Commission to the Nuclear Regulatory Commission and every office in-between, the federal government is looking for attorneys and legal professionals, and it is important that you do your homework to determine which

agencies best fit your interests and skill set before applying for positions. To learn more about various agencies, their missions and available positions, visit individual agency Web sites, USA.gov, USAJOBS.gov, and http://gogovernment.org/.

Common Points of Entry for Students, Recent Graduates, and Experienced Attorneys

Student Internships

Just about every legal office in the federal government hosts summer interns and most host interns during the academic year as well. A terrific resource for finding these opportunities is the **Government Honors & Internship Guide** - http://www.law.arizona.edu/career/honorshandbook.cfm - published by the University of Arizona College Of Law, which highlights summer and entry-level opportunities at a number of agencies. Annual online subscriptions are available to law schools for distribution to their students and graduates. Law students and graduates should contact their career development offices for more information on this resource.

Through the **Pathways Internship Program**, students hired into internships can be eligible for conversion to permanent positions after the completion of 640 successful hours of service, although they are not entitled to conversion. Up to half of these hours can be waived for interns who demonstrate high potential as evidenced by high academic and on-the-job performance. Positions must be posted on USA Jobs (www.usajobs.gov/studentsandgrads/), although the program continues to be administered by individual federal agencies.

Many federal offices hire paid interns as well as volunteers. For 1Ls, compensation for paid internships is generally based on the GS-7 scale, or \$7500 for ten weeks of work, while 2Ls are paid based on the GS-9 scale, or approximately \$9250 for ten weeks of work. Compensation varies by agency.

Recent Law Graduates/Entry-Level Attorneys

There are three primary avenues through which recent law school graduates seek federal government employment:

- **Recent Graduates Program** This new program is meant to streamline and add transparency to entry-level hiring. Students are eligible for the program for up to two years after receiving a degree. Agencies are required to post available Pathways Recent Graduates positions on www.usajobs.gov/studentsandgrads.
 - This program is also meant to help develop applicants into successful career civil servants. Successful applicants are placed into a 1-year developmental program including 40 hours of formal interactive training, orientation, and mentorship opportunities. With the completion of one year of service, employees are eligible for, but not entitled to, conversion into a permanent position or term-limited appointment. Current 3Ls

should know that many agencies require applicants to have passed a bar exam, but some agencies will post opportunities for which graduating students are eligible. The successful applicant will have a specified time period in which to sit for and be admitted to a bar.

- *Honors Programs* Many federal agencies hire new attorneys primarily (and sometimes solely) through an "Honors Program." Honors Programs are usually two-year commitments after which most or all participants convert to permanent federal employees. The most comprehensive resource for post-graduate Honors Programs is the Government Honors & Internship Guide
 - http://www.law.arizona.edu/career/honorshandbook.cfm. Your law school likely has a subscription to this resource. Please check with your career services office. Here are just *some* examples of federal Attorney Honors Programs:
 - Central Intelligence Agency Legal Honors Program: https://www.cia.gov/mobile/offices-of-cia/generalcounsel/careers/honors-attorney-program.html
 - Department of Homeland Security General Counsel's Honors Program:-http://www.dhs.gov/careers
 - Department of Justice Attorney General Honors Program:
 http://www.justice.gov/legal-careers/entry-level-attorneys
- The Presidential Management Fellows (PMF) Program https://www.pmf.gov is a competitive Pathways program that recruits masters, law, and doctoral-level graduating students to policy and management jobs (not attorney positions) in the federal government. Students are eligible to apply in their final year of graduate school or for up two years after receiving their degrees. Finalists for the program have one year to secure a PMF position with an agency.
 - This program also includes many developmental opportunities. All PMFs must complete an individual development plan along with 160 hours of interactive training over the course of two years. Many PMFs are also mentored by members of the Senior Executive Service.
 - There are opportunities to do legal work, but the positions are not attorney-advisor positions.

Graduates may also consider civil service jobs for which a law degree may be useful but not required, such as Paralegal, Hearings and Appeals Specialist, Labor Relations Specialist, Policy Analyst, Estate Tax Examiner, and others. See USAJobs for information on attorney positions as well as non-attorney legal positions.

Experienced Attorneys

USAJobs is a primary conduit for finding and applying for federal jobs - http://www.usajobs.gov/ - but information on federal attorney positions may be found elsewhere as well. More information on USAJobs and other resources is included in Part Five. In addition to attorney positions, experienced professionals may consider a position

as an Administrative Law Judge (ALJ). Many agencies, including the Securities and Exchange Commission, the Social Security Administration, and the Department of Labor, hire attorneys with at least seven years experience for these positions. ALJs conduct hearings to resolve disputes between government agencies and persons affected by decisions of that agency. The Office of Personnel Management administers ALJ examinations.

Practicing Law in the Military

A military legal career offers immediate responsibility and exposure to a wide variety of law, from criminal to contract. The armed service branches' JAG Corps offer one popular avenue for military/legal service, either as an entry-level or experienced attorney:

- United States Air Force JAG Corps http://www.afjag.af.mil/
- United States Army JAG Corps http://www.goarmy.com/jag/about_army_jag_corps.jsp
- United States Coast Guard JAG Corps http://www.uscg.mil/legal/
- United States Marine JAG Corps http://www.marines.com/being-a-marine/roles-in-the-corps/command-element/judge-advocate
- United States Navy JAG Corps http://www.jag.navy.mil/careers/careers/inbrief_overview.html

PART FIVE: RESOURCES TO HELP YOU FIND FEDERAL GOVERNMENT JOBS

- USAJobs http://www.usajobs.gov/ As noted above, this is the official job site of the United States Government. You can complete a job search by job type, location, salary, agency and other criteria. Job seekers can register with USAJobs, at no cost, and then post resumes online, apply to jobs directly through the website, and receive automated email alerts of recent job openings. For tips on searching the database, see: https://help.usajobs.gov/index.php/Tutorials. Note that while USAJobs is a valuable resource for attorney position announcements, in some cases federal agencies use streamlined procedures for hiring attorneys and should be contacted directly about potential opportunities. This is particularly true for the Department of Justice, which has a robust recruitment site http://www.justice.gov/oarm/ with attorney job listings.
- United States Government Policy and Supporting Positions Book http://www.opm.gov/ses/facts_and_figures/plumbook.asp This publication,
 commonly referred to as the *Plum Book*, is produced every four years, just after
 the presidential election. The *Plum Book* contains data on over 9,000 Federal jobs
 that are political appointee positions. If you find a position that interests you,
 apply directly through that agency.
- The University of Arizona Government Honors and Internship Handbook http://www.law.arizona.edu/career/honorshandbook.cfm This handbook provides application information and deadlines for federal, state and local honors programs and internships, including deadline tables arranged alphabetically by agency and by class year. The guide is geared to current students seeking summer employment and entry-level positions. Annual online subscriptions are available to law schools for distribution to their students and graduates. Law students and graduates should contact their career development offices for information on accessing this resource.
- Working on Capitol Hill http://www.law.yale.edu/documents/pdf/CDO_Public/CDO_Working_On_Capitol_Hill_Public.pdf Yale Law School's guidebook breaks down the types of employment opportunities available on the Hill and includes personal narratives from Hill employees.
- For information on careers in criminal justice, see PSJD's Prosecution/Public Defense Career Resource pages at
 http://www.psjd.org/Careers_in_Criminal_Prosecution and
 http://www.psjd.org/Careers_in_Public_Defense.
- Disability Employment The Federal Government is actively recruiting and hiring persons with disabilities. To find out more about schedule A hiring, see www.opm.gove/policy-data-oversight/disability-employment/
- Veterans For veterans seeking federal government employment there is the
 potential to receive veterans' preference and/or be eligible for special hiring
 authorities. For more, see
 www.gogovernment.org/government_careers/veterans.php

PART SIX: COMPENSATION AND LRAP

Government Salaries

Most white-collar federal jobs, including attorney positions, fall under the General Schedule (or GS) pay scale. On this scale, jobs are ranked according to level of responsibility and difficulty and are assigned corresponding grades. Grades start at GS-1 and go up to GS-15, and then into the Senior Executive Service (SES). As grades increase, salaries increase correspondingly. Within each grade level there are several steps, often as many as ten. Length of tenure in a position and job performance can bump employees up by steps within their grade; this will also lead to a salary increase. The following is the base salary table for 2014, compiled by the U.S. Office of Personnel Management:

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	WGI
1	17,981	18,582	19,180	19,775	20,373	20,724	21,315	21,911	21,934	22,494	VARIES
2	20,217	20,698	21,367	21,934	22,179	22,831	23,483	24,135	24,787	25,439	VARIES
3	22,058	22,793	23,528	24,263	24,998	25,733	26,468	27,203	27,938	28,673	735
4	24,763	25,588	26,413	27,238	28,063	28,888	29,713	30,538	31,363	32,188	825
5	27,705	28,629	29,553	30,477	31,401	32,325	33,249	34,173	35,097	36,021	924
6	30,883	31,912	32,941	33,970	34,999	36,028	37,057	38,086	39,115	40,144	1,029
7	34,319	35,463	36,607	37,751	38,895	40,039	41,183	42,327	43,471	44,615	1,144
8	38,007	39,274	40,541	41,808	43,075	44,342	45,609	46,876	48,143	49,410	1,267
9	41,979	43,378	44,777	46,176	47,575	48,974	50,373	51,772	53,171	54,570	1,399
10	46,229	47,770	49,311	50,852	52,393	53,934	55,475	57,016	58,557	60,098	1,541
11	50,790	52,483	54,176	55,869	57,562	59,255	60,948	62,641	64,334	66,027	1,693
12	60,877	62,906	64,935	66,964	68,993	71,022	73,051	75,080	77,109	79,138	2,029
13	72,391	74,804	77,217	79,630	82,043	84,456	86,869	89,282	91,695	94,108	2,413
14	85,544	88,395	91,246	94,097	96,948	99,799	102,650	105,501	108,352	111,203	2,851
15	100,624	103,978	107,332	110,686	114,040	117,394	120,748	124,102	127,456	130,810	3,354

Base Salary Scale: http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salar-tables/14tables/html/gs.aspx

Master's level graduates usually enter at level GS-9 or higher, depending upon prior work experience. Special rules allow agencies to pay attorneys more, so law school graduates often start at GS-11 or higher, depending on whether the applicant is entering an Honors Program or has experience from a judicial clerkship. This generally means a starting salary somewhere between \$50,000 and \$75,000.

Why the wide range? The federal government has both base pay tables and "locality pay" tables. In metropolitan areas such as San Francisco or New York City, federal employees earn a higher salary to compensate for the higher cost of living, earning significantly more than base pay. Areas that do not have a locality pay formula are covered by the standard GS formula. The full 2014 General Schedule table and all locality pay tables can be found at http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2014/general-schedule/.

While the GS serves as the salary scale for most federal attorneys, there are notable exceptions. Among the groups that do not follow the GS:

- Assistant United States Attorneys (AUSAs) are not compensated via the GS.
 Rather, they are compensated under an administratively-determined (AD) pay
 scale authorized by Title 28 of the U.S. Code. (Other attorneys working for the
 Department of Justice are compensated via the GS. For more information on
 salaries, promotions, and benefits in the Department of Justice, see
 http://www.justice.gov/careers/legal/entry-salary.html.)
- Attorneys working for the Securities and Exchange Commission are paid separately from the GS as well. You may learn more at http://www.sec.gov/jobs/jobs_fulllist.shtml
- Administrative Law Judges (ALJs) are compensated according to the separate pay scale at Title 5 U.S. Code, Section 5372. More information about ALJ salaries is found at http://www.opm.gov/oca/pay/html/ALJ-PaySystem.asp.
- The Federal Deposit Insurance Corporation, the National Credit Union Administration Board, the Comptroller of the Currency, the Federal Housing Finance Board, the Farm Credit Administration, the Commodity Futures Trading Commission, and the Office of Thrift Supervision have independent pay scales as authorized by Title 12 U.S. Code, Section 1833b.

For certain hard-to-fill positions, departments and agencies may be able to offer a special pay rate that allows them to increase salaries for potential recruits. Examples of departments and agencies that use special pay rates include the Securities and Exchange Commission, Department of Justice, Internal Revenue Service (Office of Chief Counsel), Government Accountability Office, Department of Commerce, Department of Defense, the Army and Air Force JAG, Housing and Urban Development, and Health and Human Services.

Federal Loan Repayment Assistance Program (LRAP)

One of the biggest benefits of federal employment for recent law school graduates is student loan repayment assistance. Federal agencies are authorized to provide up to \$10,000 in loan repayment assistance per year for federal loans with a total lifetime cap of \$60,000 per employee. In exchange for each year that an employee accepts this benefit, she or he must commit to working for the federal government for an additional three years. If an employee accepts this benefit and leaves before this period expires, she or he must repay the full amount.

While not all agencies offer this benefit, many do. In 2012, 35 federal agencies provided more than \$70.3 million in loan repayment assistance to their employees; this represents a 4 percent increase from 2011, but a 2.1 percent decrease in agencies' overall financial investment in this particular incentive. The average student loan repayment benefit in CY 2012 was \$6,670, nearly a 6 percent decrease compared to CY 2011.

The agencies that provided the most loan repayment assistance in 2012 were:

<u>Agency</u>	Employee Count	<u>Total Amount of Assistance</u>
Department of Defense	3,306	\$20,942,463
Department of Justice	2,271	\$16,404,990
Department of State	1,337	\$11,995,323
32 other Agencies	3,629	\$20,983,240

To learn more about the Federal Student Loan Repayment Program, visit <u>opm.gov</u> or contact human resources representatives at the federal agencies you are most interested in.

College Cost Reduction & Access Act of 2007 (CCRAA)

Federal legislation titled the College Cost Reduction & Access Act created a new repayment option - called Income Based Repayment (IBR) - **AND** established a loan forgiveness program for public service lawyers that will forgive eligible federal educational debt after a 120-month (10-year) period of repayment. The program is designed so that after paying via IBR for a period of time, a public service lawyer may be qualified to have the rest of his or her eligible loans forgiven.

- <u>Income-Based Repayment</u> Through IBR, high debt/low income borrowers can significantly reduce their monthly payments if they can demonstrate "partial financial hardship," as defined in the CCRAA statutory and regulatory language. It is essentially a calculation based on the amount of your eligible debt and your income. You do not have to be poverty-stricken to qualify for IBR; on the contrary, its provisions are generous.
- <u>Public Service Loan Forgiveness</u> Borrowers working in a broadly-defined group of public service jobs may have qualified federal educational loans forgiven after a period of ten years (120 monthly payments) working in public service, provided that during that period they make monthly payments via the IBR Program (or through a combination of IBR and other payments).

For more information on CCRAA, visit these sites:

- Equal Justice Works Student Debt Resource Page: http://www.equaljusticeworks.org/law-school/ed-debt
- Heather Jarvis, Student Loan Expert: www.askheatherjarvis.com

For more information on federal legal careers, visit PSJD's Federal Government Resources Page: http://www.psjd.org/Government Careers. Good luck!