

## Laid Off Lawyers Offered (Unpaid) Work, Ego Boost

By Noeleen G. Walder

Out-of-work attorneys might want to turn off the television and dust off their briefcases.

A new program offered by the New York City Law Department offers litigation and labor associates who recently have been laid off or are on the verge of losing their jobs the chance to gain courtroom experience while continuing their job search.

And although the Law Department will not pay associates and does not offer the prospect of long-term employment, the program may give idle attorneys a needed ego boost as well as a chance to keep their skills sharp.

Citing the “difficulties” newly unemployed lawyers face in the current economic downturn and the “severe budget challenges with concomitant staffing problems” affecting the Law Department, the program puts associates to work, uncompensated, in one of the department’s tort borough offices, where they take and defend depositions.

This will “not only allow the associate to polish his or her skills and gain valuable deposition experience, but at the same time provide an important contribution to the City,” a recently issued letter from Corporation Counsel Michael A. Cardozo says.

The program, however, does not “contemplate” that an associate would be offered a job at the Law Department down the line, the letter adds.

In an interview, Mr. Cardozo called the program, which is limited to associates with three or more years of experience, a “natural extension” of the Law Department’s Public Service Program. The public service program brings in associates from primarily large New York firms to work at the department for a set period, while being paid by the firm.

It “seems to me that these lawyers who have been laid off have [had] a blow to their ego to say the least. At the same time, we have huge budget issues and the city’s legal business has not declined,” Mr. Cardozo said.

The program will not be a “panacea” for everyone, but it could be a “great psychological boost” for attorneys who pass a brief vetting process, he said.

It is crucial to “prevent undesirable gaps on your resume. You always want to have continuity,” said Lloyd Donders, a senior recruiting consultant at Frink-Hamlett Legal Solutions.

“Law firms and recruiters, particularly during a down market, are always looking to exclude resumes,” he said.

“If you have to work for free to prevent a gap, then that’s what you need to do,” Mr. Donders said.

Stefan Ebaugh worked for four years as a litigation associate at White & Case before losing his job in November.

One of the many firms hard-hit by the recession, White & Case let go of 70 attorneys last fall and this past Monday announced its plan to lay off another 200 associates and 200 administrative staff.

While he had an “outstanding” law firm experience, Mr. Ebaugh said he always thought he wanted to do more trial work.

But at White & Case, where he was part of a team handling motion work, “that was a rather untested theory,” he said.

Mr. Ebaugh connected with the Law Department last month after networking with a number of attorneys in the government sector.

Now, working out of the Bronx Tort Division, Mr. Ebaugh is set to first-chair a “trip-and-fall” case at the end of the month. He said he loves the fast pace of the Law Department.

“I would be wary at this point to just jump right back into the same setting I was in at White & Case, particularly given the current recession,” he said. “I wouldn’t want to be on large, slow moving cases . . . doing work that was far removed from the courtroom.”

Mr. Ebaugh said he chose to work full-time at the Law Department, but thinks there would be flexibility if he needed to interview.

Meanwhile, as he waits to hear word from applications for clerkships and other government jobs, Mr. Ebaugh said his time working in the tort division has been a great opportunity.

“I feel like I’m back in full gear,” he said.

Attorneys interested in the Law Department’s Expanded Public Service Program can contact: [recruitment@law.nyc.gov](mailto:recruitment@law.nyc.gov).

Attorneys need not have deposition experience to apply, but should be admitted to the New York bar and ideally would be referred by their current or former firms. And while the city is flexible in allowing attorneys to pursue job opportunities, lawyers generally will be expected to work two to three days per week for a minimum of three.

