



NALP 2009 Annual Education Conference
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Career Advising and Recruitment of Overlooked Populations: Working with GLBT Law Students, Law Students with Disabilities, and Second-Career Law Students

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THE ASSOCIATION FOR LEGAL CAREER PROFESSIONALS

PROGRAM FORMAT

Knowledge is of two kinds. We know a subject ourselves, or we know where we can find information on it.

Samuel Johnson

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Law Students with Disabilities

- Disabled law students and lawyers are less likely to obtain private sector jobs, and have the lowest overall employed statistics of all minority and non-minorities (86.1% vs. 92.4% overall for the class of 2007).
- Only about 1.6% of the law school population reports as disabled, but many do not disclose "hidden" disabilities.

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Law Students with Disabilities

Requests for reasonable accommodation involve an interactive process between the employer and applicant/employee

- Is this an ADA defined disability?
- Why is the accommodation needed?
- Is the accommodation directly related to the job application process, the work to be performed, or the benefits and privileges of employment?

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Law Students with Disabilities

- Counseling the student with a disability: Career counseling before law school vs. career counseling in law school
- Should the applicant disclose the nature of the disability pre- or post-offer?
- The resume and cover letter
- What we have done in Arizona - <http://www.myazbar.org/SecComm/Committees/ADTF/>

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Law Students with Disabilities

- IMPACT Career Fair for Law Students & Attorneys with Disabilities – August 7, 2009 – Washington, DC
(www.law.arizona.edu/career/impact/welcome.cfm)
- National Association of Law Students with Disabilities (<http://www.nalswd.org/>)
- 2nd ABA National Conference on Employment of Lawyers with Disabilities – June 15-19, 2009 – Washington, DC
(<http://new.abanet.org/calendar/2nd-National-Conference-on-Employment-of-Lawyers-with-Disabilities/Pages/default.aspx>)

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Law Students with Disabilities

More Resources Available on the Conference Handouts section of the NALP Website

- *Enforcement Guidance: Reasonable Accommodation and Undue Hardship Under the Americans with Disabilities Act* (published by EEOC; rev. 10/17/02) - <http://www.eeoc.gov/policy/docs/accommodation.htm>
- *Diversity in Law Firms* (published by EEOC, 2003; last modified 10/22/03) - <http://www.eeoc.gov/stats/reports/diversitylaw/index.html#intro>
- *Reasonable Accommodations for Attorneys with Disabilities* (published by EEOC; last modified July 27, 2006) - <http://www.eeoc.gov/facts/accommodations-attorneys.html>
- Recent amendments to the ADA (1/1/09) include changes to the definition of the term "disability." The EEOC will be evaluating the impact of these changes - http://www.eeoc.gov/ada/amendments_notice.html

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GLBT LAW STUDENTS

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GLBT Law Students: Unique Features

- Self-disclosure is necessary in identifying group members
- Coming out is a life long process
- Law Students will be of varying Developmental Stages
 - Expect that:
 - some students may not yet be out
 - some students may be transitioning
 - some students may be out, but not desire to be out in a new workplace
 - some students may be out *and* highly political

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GLBT Law Students: Protections Against Discrimination

- **Private Sector Employment**
 - No national protections against GLBT employment discrimination. Varying state and municipal protections.
- **Federal Sector Employment**
 - Executive Order 11478: prohibits discrimination based on sexual orientation in the federal civilian workforce.
 - Generally, enforced by the Office of Special Counsel as a Prohibited Personnel Practice 5 U.S.C. § 2302(b)(10).
 - Security Clearance: no longer a bar unless a possible means for blackmail (e.g. candidate is not out to parents)
 - Suitability Adjudication: Successful completion of this process will likely require transgendered candidates to disclose previous name.

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GLBT Law Students: OCP work with Students and Employers

- Provide an opportunity early and often to allow students to disclose
- Consider adding “GLBT” to your Symplicity “Position Type” drop down menu
- Provide standard programming with speakers who are openly GLBT
- Contact Diversity Coordinators to determine whether diversity initiatives contemplate GLBT applicants and should be marketed as such.

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GLBT Law Students: *Coming Out* to Employers

- Assist students in identifying their values as related to their professional identity and future employers
 - Guiding Questions:
 - What do they require from an employer?
 - What does your partner require from your employer?
 - What benefits and recognitions do you require as a GLBT attorney?
- Encourage students to apply these values in resume disclosure choices.
- Coach students to honestly represent their values while engaged in the interviewing process.

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GLBT Law Students

- **More Resources Available on the Conference Handouts section of the NALP Website**

- *Federal Globe: Federal Sector GLBT Organization*
- *Human Rights Campaign's Best Places to Work Report*
- *National Gay and Lesbian Law Association's Lavender Law Conference.*
- *List of NALP publications*
 - *Recruiting, Hiring, and Retaining Lesbian, Gay, Bisexual, and Transgender Lawyers: Strategies for Employers, 2008.*
 - *To Be Out or Not to Be Out? Information for Gay, Lesbian, Bisexual and Transgender Job Applicants, 2005.*

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SECOND-CAREER LAW STUDENTS

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Second-Career Law Students: Programming and Resources

- Topics to address: converting resumes, cover letters, flex-time and part-time arrangements, balancing work and family, interview preparation, salary negotiations
- Action point: work closely with student clubs (needs assessment, co-sponsoring of programs, etc.)

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Second-Career Law Students: Coaching to Overcome Misconceptions

- Couldn't hack it in old career
- "career-hopping"
- "professional academic"
- May lack vigor of a younger colleague
- May be resistant to direction from a younger supervisor
- If PT, somehow less qualified than FT student
- Less "mold-able"

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Second-Career Law Students: Coaching to Demonstrate Advantages

- Real world experience: judgment, multi-tasking, client relations and client contacts, business savvy (avoid denigrating FT student status)
- Transition to law was conscious choice

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Second-Career Law Students: On the Job

- Start at ground level: role is to respond to requests, not make them
- Bond with fellow junior associates to build support network
- Accept differences in new environment: may be less egalitarian than prior workplace, etc.—Respect the hierarchy—in terms of speaking to clients, etc.

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Second-Career Law Students

- *More Resources Available on the Conference Handouts section of the NALP Website*
 - *INTERVIEW QUESTIONS AND ANSWERS FOR SECOND CAREER STUDENTS*

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