



IN SIGHT for Oregon Lawyers

IMPROVING THE QUALITY OF YOUR PERSONAL AND PROFESSIONAL LIFE

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CONTRACT LAWYERING

A career that arose from personal necessity has turned out to be a good choice for a professional lifetime. Working on projects for other lawyers one project at a time did not exist as a way to practice law when I began my legal career. The private practice of law at that time offered few alternatives to the traditional law firm path of associate to partner. Now, 20 years later, lawyers enjoy greater opportunities for and acceptance of what is now well known as contract lawyering.

What is the practice of contract lawyering? I like to think of it as working on pieces of cases. Sometimes the piece is big, such as drafting a motion for summary judgment or preparing a client or witness for testimony. Sometimes the piece is small, such as resolving a discovery issue or researching an issue in a case. The work can be like that of a law clerk or that of an associate or appellate attorney. Large or small, when the piece is done, the case goes back to the hiring lawyer, and the contract lawyer goes on to the next project.

Why would anyone choose to work in this piecemeal fashion? Isn't it easier to work in a firm with support staff, colleagues, stability, continuity, and a predictable income? For many people, the answer is clearly "yes." But for me, contract lawyering has been the best choice at every stage of my career, both professionally and personally.

When I first started my career in law, I was pregnant. I worked full-time and taught a law-related course at a local college. I soon learned that I had taken on too much. After various efforts at balancing work and

family life, I realized that as long as I was responsible for my own caseload, I could be neither the lawyer nor the mother I wanted to be. Just as I was considering leaving the practice of law altogether, a colleague told me about a lawyer who had hired her to do some legal research and writing on an ad hoc basis. I didn't realize it at the time, but the career path of contract lawyering had just come into my life.

I began doing projects for that attorney, and my contract lawyering career was launched. I found that it met my needs, both as a lawyer and as a parent of young children. I was able to do interesting work, control my workload, and come and go to the law library or the pediatrician's office on my own schedule. I could focus on the part of law practice that appealed to me most – legal research and writing. I also enjoyed alleviating the burden felt by the sole practitioners for whom I worked.

As time went on, I continued to market my services. I was actively involved in a leadership role for Oregon Women Lawyers (OWLS) for over 10 years, including coordinating the Contract Lawyer Referral Service in its early years. As a result of my efforts, my network widened. I learned much about running a business, about working with people, and about many areas of civil litigation. Because of my flexible schedule, I could still volunteer in my children's classrooms and be at home when they returned from school.

In the next stage of my life, contract lawyering gave me the base to pursue a portfolio career – a career of multiple part-time jobs or busi-

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n e s s e s , including continuing my legal projects and simultaneously developing a career counseling practice. This career counseling business included forming a support group for transitioning lawyers called “Career Teams,” co-facilitating the OAAP’s career workshop, facilitating career workshops for non-lawyers, and providing career counseling for the Oregon State Bar’s Affirmative Action Program. I could not have pursued this second business without the income and stability from contract lawyering. The knowledge and experience I gained in marketing my contract work served me well in developing a second career and in running both businesses. I had the satisfaction of continuing to work for those solos I knew well over the years, and I also branched out to new ventures in the evenings and weekends as my children grew older.

Later, when I was battling a serious illness, contract work provided income, stability, and a feeling of accomplishment. The same week I began chemotherapy for breast cancer, I was hired as a temporary part-time lawyer in a firm involved in several sizable lawsuits. This firm knew the benefits of temporarily staffing up for big cases – cases made daunting by their sheer size. Several of us were hired to review cases involving millions of electronic documents, sorting them by legal issues and identifying the key documents. It was the perfect job for someone recovering from health issues. As I regained my strength, I added back my work for sole practitioners. I remained at the firm for three and a half years until the last of these cases settled. During my time there, I was able to tap into the resources and community that life at a law firm can provide.

The legal profession has finally discovered what managers in other fields have known for a long time – the advantages of professional temporary staffing and contract help. Although contract lawyering was not initially considered “real lawyering,” there is now greater recognition of the benefits of having an “on-call associate.” The low overhead combined with the extra time and brain power is a winning combination for both the hiring lawyer and the contract lawyer.

I recently celebrated 20 years as a contract lawyer. I’ve added new attorneys to my network, and I

continue to make contract lawyering the work of a lifetime.

Katherine Foldes

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