

# Contract Attorneys

Dear Editor-in-Chief,

Thank you for your willingness to raise hard questions including the role of contract attorneys in our profession [Fall: 2008]. I have two Ivy-League degrees and won the write-on competition for Law Review at Temple. When I say I am a contract attorney working in all aspects of discovery including eDiscovery and document review, the usual response is: "You do what?" The unspoken comment is, "Isn't that beneath you?" I welcome the opportunity to correct the common misperception of contract attorneys as being some sort of an underclass in the legal profession.

The popular perception is that contract attorneys are miserable drones hired by staffing firms to toil in the document review trenches generating billable hours in discovery by coding documents. On the contrary, the best contract attorneys have developed niche practices that offer law firms cost-effective assistance. The contract attorney can focus solely on one area of practice without distractions. When a deadline is looming or trials are scheduled close together, a skilled contract attorney can be a godsend to the practitioner.

I know contract attorneys who have found their niche working on their own specializing in various areas of legal practice. Marie Kramer and Joe Traub write trial and appellate briefs. Garland Cherry does state and federal trial work. One contract attorney has a practice defending depositions.

These are all capable and intelligent attorneys who have chosen to work independently rather than follow the law firm route. One of them contracts to write briefs, because of a strong skill in that area. Another is an excellent trial attorney who tries jury trials for attorneys who would never go near a courtroom. Some contract attorneys are parents

who want the flexibility to work hours at a home office avoiding a time-consuming commute.

Contract attorneys offer the profession specialization of function: the ability to jump in quickly when needed, and make a contribution to the case from day one. They must be able to work with a wide variety of people. The good ones tend to be excellent listeners as well as superior thinkers. They are flying solo working as independent contractors with an uncertain income. It's not a life for the faint of heart.

Contract attorneys work in large firms, small firms and for solo practitioners on both the plaintiff's and defendant's side. Here is my advice in hiring a contract attorney. The hiring lawyer should examine the reputation, skill and experience of the attorney. Has the candidate done this kind of work well before? What recommendations or testimonials does the candidate have?

Now that documents are routinely sent electronically, a firm can easily have a contract attorney working remotely. The law firm and the contract attorney need to be able to work together smoothly. They must have compatible technology. In my practice I have an iMac computer than runs both the Macintosh and Windows operating systems for the widest reach. The firm and contract attorney also need to communicate well on an ongoing basis to reach the best result for the client.

Contract attorneys offer a valuable service in this volatile economy.

- Carol A. Fritz

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