Becoming an Administrative Lawyer through Serendipity

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Should you be open to finding your career path by serendipity? The Random House *Webster’s Unabridged Dictionary*, 2nd edition, defines “serendipity” as “an aptitude for making desirable discoveries by accident” or “good fortune; luck,” as in *the serendipity of getting the first job she applied for*. Merriam-Webster defines “serendipity” as “the faculty or phenomenon of finding valuable or agreeable things not sought for.” For me, as well as for many others, finding a job practicing administrative and regulatory law within the government has been truly serendipitous.

**MY SERENDIPITOUS CAREER DISCOVERY**

At law school, I was a second-career student who had decided to abandon my academic career in Slavic languages and literatures for a career that I imagined would
more appropriately reward me for the rich experiences and skills that I had amassed over the years and (2) enable me to solve real problems for real people. On the one hand, I wanted a career that both provided broad opportunities and offered more material rewards for hard work and skill. On the other, I wanted to continue helping people, though in a more practical way.

In fact, I had chosen to study in Washington, D.C., largely due to my interest in public service, in particular, immigration and asylum law. It was a field that I believed would embrace my international experience and language skills. After participating in several internships and a law clinic, however, I began to see that my career goal needed to be informed by reality. In other words, for the first time in my academic career, I was in debt with student loans. Therefore, after some consideration—and after two summer clerkships with large firms—I decided to choose the large law firm route.

But the plan to work at a large firm was not to be. First, my firm, Thelen Reid, pushed up the start date from September to January. (At the time, this decision created news; Thelen was the first AmLaw 100 firm to delay start dates.) Though I was busy with exams and the New York bar, I scheduled a few informal interviews with other top firms. But some career counselors at Georgetown Law career services advised me (against popular opinion) that I was still bound to Thelen by NALP ethics rules, so I gingerly ended my search. Then, to my dismay, Thelen dissolved in October. Thus, just over one month after Lehman Brothers collapsed and the world financial crisis was declared, I found myself out of work, deep in debt, and in a world crisis. Needless to say, I experienced some desperate moments.

After hearing the news, I stayed put—in Madrid—and launched a job search via telephone and Internet from Europe. I called and e-mailed everyone I knew from Moscow to Tokyo. For months, I pursued job leads all the way to Doha. It was arduous and at times excruciating. In December 2008 people were firing, not hiring. But I was determined not to give up until I found a position that I felt would start my legal career off right.

In the end, serendipitously, I ended up being luckier than I would have been had Thelen not dissolved. After all the work, my job search paid off and yielded two good offers. I took the one with the U.S. government.
Though my current job with the government is not what I had planned (how could I have planned something this unique, I remind myself), my job offers me everything I was looking for and more. The work I do is challenging, exciting, complex, and fun. Involving administrative law, criminal law, foreign policy, and military doctrine, the work I do spans broadly across fields and exposes me to new knowledge every day. Further, the people at my agency are exemplary: hard-working, passionate, professional, and brilliant. Not only do I respect them as colleagues, but I also genuinely like them as people. And what’s more, I am able to pay back my lenders. Finally, by working for the government, I am able to avoid the initial years at a large firm. Though I thought I had wanted to start my career at a large firm, I now realize—through stories of government colleagues, law school friends, and even strangers on planes—I likely could have been miserable.

It’s wonderful to have discovered the government! And I am only at the beginning of my career. I can only anticipate with excitement the next post. Will it be with Justice? The Pentagon? Treasury? Commerce? Who knows?

THE SERENDIPITOUS CAREER DISCOVERIES OF OTHER ATTORNEYS

I compared notes to see if others had found the government by happy accident, as I had. They had.

One lawyer I know wanted to be a poverty lawyer. She served in the diplomatic corps in Vietnam, worked for a labor union, and applied to work for Ralph Nader. But eventually she found herself at the Department of the Treasury in the Office of Inspector General (OIG). Once inside the tight IG community, she discovered not only that she enjoyed the work but also that she wanted to stay. She then became the deputy IG for the Peace Corps; then counsel and assistant IG for investigations for the National Credit Union Administration, and later for the Corporation for Public Broadcasting. Finally, as an administrative law judge at the D.C. Office of Administrative Hearings, this attorney sat in judgment of unemployment appeals and other matters, such as appeals of eviction from public housing.

Though she has never practiced poverty law, she has enjoyed a long, fulfilling career with the government. She feels satisfied with her
career primarily because the OIG is “one place in government that provides real value to taxpayers.” Plus, the government enabled her as a single mother to spend more time with her son, gave her the experience she craved in public service, and, to this day, continues to offer her opportunities to contribute her knowledge and expertise part-time.

Another very successful lawyer had planned on a career in private practice litigation. But first she clerked with a state appellate court. While she entered private practice after her clerkship, she soon left to join a U.S. attorney’s office. Then she got sidetracked into doing policy at the Department of Justice (DOJ). A further sidetrack roped her into management. Since then, this lawyer has served in government positions entitled variously “counsel” and “manager.” Being a manager has made her a better lawyer, and vice versa. And she loves being able to build on her previous experiences and translate skills from one agency to the next, all the while working for the U.S. government.

Interestingly, this lawyer “never made a calculated career decision to practice administrative law.” She says, “There are so many opportunities in the government—you can’t even contemplate them before you get there and it is hard to explain to graduates what the opportunities are.”

For her, the key to serendipity was clerking after law school. Had it not been for that initial exposure to public service—and the fact that she got a call summoning her to a U.S. attorney’s office a few years after her clerkship—she would have stayed in private practice. Had it not been for serendipity, she might never have found the responsibilities and rewards of government service.

As this lawyer said, because the government affords such serious responsibility right away, it is ideal for new graduates. You, a new graduate, are in charge, while your colleagues from law school are reviewing e-mails and doing document review at firms. She clarified a good point, though: while it was serendipity to end up in government, it has been a matter of choice to stay. And that choice has largely been borne by the unique opportunities to advance into positions of authority, variously as manager or as counsel.

Another lawyer with a varied and distinguished government career wanted to be a criminal lawyer—a public defender—but he was from Chicago, where it was hard to break in. So he broke in the back door. He moved to Washington, D.C., to work in administrative litigation—black lung appeals—and met the deputy inspector general of the
Department of Labor (DOL) in the locker room of the gym they visited. This chance encounter led to his working as a legal counsel for the criminal investigators in Labor’s OIG. He has stayed in the IG community for over 25 years working for a variety of federal agencies, including the CIA, U.S. Postal Service, and the Special Inspector General for Iraq Reconstruction. Over time, he moved to nonlegal management positions, where he has run Human Resources and Budget and also oversaw 180 criminal investigators. Though he, too, has flitted back and forth between manager and counsel positions, he now mostly does policy and finds that immensely interesting.

While he admits that government work will not make one wealthy, he agrees with so many others that the government grants significantly more responsibility early on. This means, he said, that newly qualified attorneys will learn more through hands-on experience and get better training. Until their fifth and sixth year as big firm associates, his law school classmates were not even doing the same work he was doing his first year.

Finally, another highly successful and dynamic lawyer told me that he had wanted to serve the public, but did not know exactly how. He imagined that he would be a prosecutor or work in the private sector advising public entities. It was not until he clerked that he was exposed to the opportunities within the government. At a state attorney general’s (AG’s) office, he worked as general counsel to over 30 state agencies—essentially representing the entire public sector in the court system. Reviewing the cases while clerking and building relationships with the other attorneys in the AG’s office convinced him to stay within the public sector, something that he never thought would be possible or desirable while he was in law school.

The key, he said, was that he “got to make a difference quickly.” The key—again—was the clerkship. This lawyer believes that if it had not been for the clerkship, he would have entered the private sector and stayed, as many people do.

**SUMMARY**

The general consensus among the lawyers I spoke with was that (1) administrative law is far more interesting than it might sound to the law student, and (2) though they found their first legal jobs by serendipity, it was their choice to *stay*. 
First, as one lawyer said, administrative law is “much more interesting than it sounds.” Though it sounds dry to work with the Administrative Procedure Act and the U.S. Code, in fact, these laws form the regulatory and litigious universe. They are the mechanics of the government. They guide how public policy is implemented. And public policy affects everything from disciplinary and enforcement procedures to trade regulations.

Second, the aspect of “doing good” evokes the point about choosing to stay with the government. Though these lawyers found their first legal jobs serendipitously, they stayed in government after discovering that administrative and regulatory government work allows them to fulfill their original dreams. They can do good, make a difference, and see results, while also enjoying fascinating, surprising, and continuous career opportunities.

I noticed that the dictionary entry after “serendipity” is the “serendipity berry,” also known as the “miracle fruit.” Indeed, there is something miraculous about finding work that is fulfilling, challenging, fun, and well paid, especially when one finds it purely by accident and despite the determination and resolve to find something different. It reminds me of that Garth Brooks song, “Unanswered Prayers.” Sometimes, if we are lucky, what we perceive as bad luck actually turns out to be good luck. Then we discover something more appropriate, fitting, and desirable than what we had originally hoped. I know that for me this is the case, and I wish every new graduate a similarly lucky, happy discovery.