

# *Find a Position in The USA as a Foreign Attorney*

*By Eamonn Markham, Esq.*

I am frequently approached by foreign-educated candidates who are highly qualified attorneys seeking employment in the United States, including foreign lawyers from the U.K. These candidates are often confounded by how difficult it is for them to [get jobs as attorneys in the United States](#), even though their resumes or curricula vitae demonstrate that they are highly qualified for available positions.

There are a number of different factors that will affect the ability of a [foreign-educated lawyer](#) to land a job with a U.S. law firm successfully, and some of the biggest issues are discussed here.

## **Working Permission**

The primary factor determining whether a person can [get a job at a law firm](#) in the United States is whether that person is legally there. Permission can be broken into three classes: no working permission, working permission for a limited period, and full working permission. Absent some special skill that a law firm needs, persons without working permission find it nearly impossible to obtain a job with a United States law firm. (I would like to meet someone who has a job, even if they did not have working permission. Don't hesitate to contact me and tell me how you did it so that I can let other people know how to engage in successful searches.)

### Learn More About This Video

The largest category of candidates I talk to is a foreign lawyer with temporary or working permission for a limited period. Many of these candidates have studied for an advanced degree in the United States, usually [earning LL.M. degrees](#). In many instances, the successful conclusion of an LL.M. degree generally means that foreign nationals can work for a period of one year in the United States. Frequently, students anticipating pursuing an LL.M. do not understand how difficult it will be to find jobs once they graduate. Their prospects in the job market are generally unknown until after they have commenced their studies.

The primary difficulty for candidates with limited working permission is that it can be difficult to convince law firms that they will recover the investment of time and financial resources into a candidate who will be available for only a limited period. [The candidate's working permission period expires](#). In addition, many recruiters do not work with LL.M. candidates. Many law firms do not accept resumes from recruiters when the attorney is a recent graduate from a law school, even if the candidate has many years of experience in their home jurisdiction.

Finally, some candidates were educated abroad and had full working permission. However, it may seem that it is difficult for these candidates to get jobs as a graduate of an ABA-approved law school. That is generally the exception rather than the rule. First, let me discuss why it is difficult for foreign-educated lawyers to practice in medium- or large-sized firms. Many of these firms because most of the foreign attorneys that I have spoken with see the opportunity to work for a United States law firm.

a feather in their caps, and they want to continue their legal pedigree. In addition, they frequently are very well qualified in their native jurisdiction and expect to work in a highly sophisticated practice.)

## American Law School Graduates

A short discussion of how students from American law schools find jobs. American students spend three years at law school. After their first year, many students who have the prerequisite training and attend better schools engage in [interviews with larger firms](#). These firms select candidates and make offers to those candidates who will spend the summer at the end of their second year with the firm. After the candidate has worked at the firm during the summer after their second year, the candidate often receives a full-time offer of employment to start work in the fall after the student graduates.

Consequently, especially for the more prestigious large and mid-sized firms, most law students find jobs before they graduate from law school. The [recruiting process at most law firms for junior attorneys is satisfied nearly entirely from law schools before they even graduate](#). So although it appears to an outside observer that law firms are hiring large numbers of junior associates in the fall, many of these positions have been filled for more than a year. Invariably, some associates decide not to return to their law firms, but firms generally attempt to serve their needs through on-campus interviews. Hence, the only jobs available to candidates looking for work are those few openings that a firm has been unable to fill from the on-campus interviews. There are often only a handful of jobs, with fierce competition for them, as many United States-trained attorneys are also vying for these positions.

Those American law students who do not find jobs through [on-campus interviews](#) are required to find a job using traditional methods, such as the resources in the law school recruiting office or drafting letters and submitting resumes to firms that practice the kind of law in the student's desired specialty. (This is how most foreign-educated attorneys can get jobs in the United States.)

## Foreign Law School Graduates

Foreign students, therefore, have significant disadvantages compared to [United States-trained attorneys](#). First, they are not able to [participate in the on-campus interviews](#). Second, they generally do not have access to the same resources that the recruiting office of a law school can provide. Third, foreign-educated students have not passed through the American education system, and they do not know what resources are available to them. Fourth, these candidates do not have the existing network of alumni from their law schools to use as a resource.

Attorneys with a lot of experience in a foreign jurisdiction have these and other issues. Lawyers from foreign jurisdictions seeking to join a firm in the United States have the onus to prove that their practice law experience is compatible with American practice. The primary issue for a foreign-trained attorney is translating their education and experience into terms that a United States law firm can understand their experience. These attorneys should [network their contacts in their local jurisdictions](#) and in the United States to meet contacts at United States firms.

## Techniques For A Successful Search

Although this may seem like a dim picture, most international students should realize that they are in a similar position to American law students, with some handicaps that can be surmounted with a little hard work. Some additional resources are required.

What research should a person do? First, look for every person who is a graduate of your school and practices in your city or your region. [Martindale Hubbell \(www.martindale.com\)](#) is one well-respected, although incomplete, resource for finding attorneys from your school, that may indicate the effort required to land a job. Look also for lawyers who have experience in your specialty. [Join the local bar association and network there](#). Consider sending potential contacts a brief email explaining who you are and looking for work, but make sure that you avoid spamming all the lawyers in a firm. A well-drafted email to several people with mutual interests may generate some interest and a lead or two. In contrast, a mass-marketed

many attorneys will generally make a candidate *persona non grata*.

Foreign lawyers in the USA should [research the Internet](#) and local newspapers for job opportunities and realistic chances of getting advertised. Moreover, be honest with yourself. Evaluate your experience and the level of a firm is seeking. In general, if firms advertise for a certain kind of candidate with specific knowledge, do not apply for a position unless you have the requisite experience. For example, unless a candidate has practiced United States laws in their local jurisdiction, most firms will not consider that candidate relevant experience for a securities law position.

As you prepare an application, remember that firms are businesses. Consider how you can [bring something unique](#) to the practice group. For example, does the firm you are applying to have a practice that requires your native foreign law knowledge? Does the firm have clients from your country? If possible, identify every specialty you think you can bring to the firm you apply to.

Finally, [prepare a resume and a crisp cover letter](#). Resumes in the United States tend to be a page for most junior positions. Indicate your experience and education, foreign language skills, and highlight your class ranking if you did well in law school or university. Remember that most hiring coordinators will not understand your grading system, so a brief note on a separate sheet that explains your school's grading system may be in order.

The [cover letter](#) should be brief and indicate what position you are seeking. A large part of writing an effective letter is considering your audience. Law firms expect short letters of three or four paragraphs (longer letters are generally rejected). In addition, a letter seeking a specific job is generally much more effective than a letter where the attorney seeks a position as a "real estate or corporate or securities or litigation" associate.

Many applicants state that an LL.B. degree is equivalent to the *Juris Doctor* degree granted by American law schools. Next to your educational qualifications, it is sufficient to note that your education satisfies the academic requirements of the American Bar Association in the United States jurisdiction in which you want to practice. Passing the New York bar is required of foreign lawyers who wish to work there.

Lastly, it is advised that while pursuing their legal education in the U.S., [a foreign-trained attorney](#) must try and join a firm's unique visiting attorney program. The program seeks to provide a visiting foreign attorney with a realistic sense of the work performed at a law firm and an in-depth overview of the U.S. legal system. Work assignments will be based on your background and matter knowledge, and work expectations will be similar to those of a junior associate attorney. Visiting foreign attorneys participating in this program will have the opportunity to attend client meetings, hearings, trials, and closings.

To stimulate and support the growth of foreign lawyers, law firms encourage them to interact with their colleagues in the U.S. law. This is an important step in both their personal and professional development. Furthermore, each visiting foreign attorney who participates in this program will receive formal evaluations at the predetermined end date of the program, in addition to immediate feedback from the assigning lawyers.

## If You Do Not Become an Attorney in A U.S. Law Firm

Without becoming a fully-admitted member of the state bar, you can also use your foreign law degree in a number of ways. You can become a foreign legal consultant (FLC). FLC stands for a foreign-trained lawyer who has established a law practice in the U.S. Thirty-one states and the District of Columbia and the Virgin Islands have foreign legal consultant provisions in place.

Several states also offer temporary transactional work, pro hac vice admission to the bar, and in-house counsel opportunities for foreign lawyers. Foreign-trained attorneys have the most opportunities with bar admission, but there are other

as well.

## Conclusion

The typical path to becoming a lawyer in the U.S. involves law school, the bar exam, and additional requirements. Some law professionals receive training abroad. Being a foreign-trained lawyer in the U.S. can sometimes be challenging, but it's not impossible.

There are different requirements in each state, so you may need to take different steps depending on where you wish to work. [A prospective foreign-trained lawyer must sit for the bar exam in the state](#) they wish to practice. California and New York offer the most flexible requirements.

Best wishes for a successful search.