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DU & CU partner on new Legal Residency program

By: Liza Prado

The University of Denver Sturm College of Law, in partnership with the University of Colorado Law School, is piloting a new legal training program to be called a Legal Residency. While other law schools have experimented with creating university-run law firms where recent graduates can get on the job training, few have established ongoing post-graduate residencies at established law firms.

After researching numerous innovative approaches ranging from law school “firms” to a Corporate Fellows program at The Ohio State University Moritz College of Law, Denver Law settled on the Legal Residency Program as a model that seemed well suited for the Colorado market. If the program looks and sounds like the residency programs that follow medical school, that's not accidental.

“The concept came about when we were thinking about the medical model and the law model,” explained Dean Marty Katz. . “In the medical model, new doctors continue their formal training even after school. We wondered, even if we can provide substantial experiential learning while our students are in school, is that enough? Wouldn't it be better if we could ensure continued training after school, as in the medical context?”

The program is straight-forward: Instead of a standard legal job, graduates will have the opportunity to work in a 12- to 18-month residency with a participating employer. Like medical residents, legal residents will be paid— though typically less than what first year associates at a comparable firm or legal department earn—and employers will commit to providing rigorous on the job legal training and experience. —and employers commit to providing rigorous on the job legal training and experience. And just as medical residents are board-certified doctors, legal residents are full-on lawyers, bar-certified and authorized to practice law. There is no promise of a job offer at the end of the residency but no prohibition either: a successful resident would certainly be a strong candidate for openings at the firm where she trained.

For new graduates, a residency represents a unique opportunity to further one's training, while still advancing their legal career. The benefits to employers include having the services of a full-fledged lawyer without having to pay the full first year associate salary, and getting a year-long, no-commitment look at potential hires, rather than merely a resume and an interview. Firms can also take satisfaction in contributing to a program that, if successful, will raise the level of opportunity, as well as the overall skills and quality of the next generation of Colorado lawyers.

The Legal Residency Program is not unlike legal apprenticeship programs operated by a handful of firms in Denver and elsewhere. Attorney Danaé Woody completed an apprenticeship at a local family law firm after graduating from Denver Law in 2012. The Minnesota native likened the experience to learning to swim.

"You dip a toe in, then a foot, and ease into it," she said, "with a coach always there if you're nervous or scared."

She described a process of handling increasingly difficult work, with increasing independence, over the course of several months. She compared that to classmates who'd been "thrown into the deep end" within weeks of starting their first jobs, handed a stack of cases and told, basically, to figure it out.

"The practice of law can be very scary, with major consequences if you don't do it right," she said. "I don't know what I'd do without a mentor next door or down the hall."

Woody, 26, said she was trained from the bottom up, at first performing what might otherwise be considered paralegal work, like setting hearings and filing documents with the court, before moving into more lawyerly tasks, from meeting with clients to assisting on settlements and mediations. By the end of her apprenticeship, she was handling her own cases from start to finish. Woody said she was happy to start slowly, building a solid foundation before moving onto more complex matters, not least because family law has one of the highest grievance rates in the profession.

"A lot of first year associates are practicing family law without the basics," she said, "They're getting crushed in court and not representing their clients well."

Woody admitted many classmates, family members, and even other lawyers didn't understand what she was doing; many wondered if it wasn't just a "glorified internship."

"Once I explain it, they say 'Oh, that's really cool,'" she said.

The fact is, today's legal market can be extremely tough, and graduates can't be sure they'll find work in their chosen field. Many law firms are hiring fewer new graduates, in part because of the cost of training them and the wide availability of lateral hires after several years of recession. Even if a recent graduate does land a job, there's no guarantee he or she will get the kind of meaningful assignments and genuine support that make for a successful long term legal career.

"The 'real jobs' that put you in a place to succeed are dwindling" says Eric Gunning, assistant general counsel for Molson Coors Brewing Company, one of the Legal Residency Program's early corporate partners.

Molson Coors has agreed to take on a legal resident for the coming year, to work on mostly international legal affairs out of the company's Denver office. Gunning calls the Legal Residency program "the perfect solution to the challenges the legal market is facing in Denver."

"You may not be [earning] as much," he says about would-be legal residents, "But the whole focus is on training. You're making an investment in yourself."

For now, the Legal Residency option at DU and CU Law schools is a pilot program, with between five

and ten firms expected to participate the first year. Many more have expressed interest, however, and the “audacious goal” (as Katz puts it) is for there to be an opening for every Denver Law and CU Law graduate who wants one. Larger firms and corporate law offices have been early adopters; not surprising, perhaps, given they typically have associates and partners to serve as mentors, and stand to gain the most from salary differential between legal residents and first-year associates. But the residency program may prove equally attractive to smaller firms and those focusing on indigent services and access-to-justice issues.

Many in the profession, from faculty at law schools to working lawyers and partners, would like to see legal residency be a more uniform and common practice. They compare it, again, to the medical profession, where a period of residency is an accepted part of one's training. Lawyers in other countries, including Canada and the UK, are also required to complete residency-like programs before being fully licensed to represent clients on their own.

Jay Kamlet, a partner at Lathrop & Gage LLC, took part in the one of the early meetings about the program, and remains an enthusiastic supporter. He says corporate clients are increasingly savvy when it comes to new associate attorneys being staffed on their cases. Simply put, they don't want to foot the bill for that person's on-the-job training. Kamlet says the legal residency program allows firms the financial flexibility to hire and train new graduates, without having to pass the cost onto clients. That assures new grads are using and advancing their legal skills, which, in turn, is a benefit to the legal market as a whole.

"I hope many firms will see this as a win-win-win," says Kamlet. "A win for them, a win for the students, and a win for the profession."

