



**CROSSED THAT BRIDGE:** After launching his career at Cravath, Swaine & Moore in New York, Matt McDermott '03 decided to return to his home state, Iowa, where he soon made partner at a 35-person firm in Des Moines.

# Thinking Outside The (Big Law) Box

**Boalt alums find happiness on the road less traveled**

By Jon Jefferson

**B**ig Law: As career paths go, it's the high road—high salaries, high prestige—and for law school graduates with the mindset and the skills, it's the road most traveled. Or at least it used to be, before the economic downturn began transforming it into a limited-access highway. Of 2011 law school graduates reporting their job-search outcome to the National Association for Law Placement, just 12 percent were hired by firms of more than 100 attorneys; 20 percent, by contrast, joined firms of two to 10 attorneys or went solo.

The picture is different—and far rosier—for Boalt alums, who weren't hit nearly as hard by the downturn. For them, the doors of Big Law remain wide open, according to stats from Assistant Dean Terry Galligan of the school's Career Development Office: Of the class of 2012, 54 percent took jobs at firms of more than 100 attorneys, while only 3 percent went to firms of two to 10 attorneys, and none into solo practice. But even for Boalt students, options have narrowed, notes Galligan, with fewer offers to choose from than before the recession. Galligan attributes the tightening to “structural changes” in the legal marketplace, including technology advances and the rise of outsourcing. “Those changes are here to stay,” he predicts.

Alternative paths can be harder to find and tougher to navigate. But they can also offer unique rewards, more interesting journeys. These four Boalt alums—all of whom have ventured off the beaten track of Big Law—are living, lawyerly proof.

## IOWA T-SHIRT, ITALIAN SHOES

Matt McDermott '03 thought he'd shaken the Iowa dirt off his shoes. Turns out he thought wrong.

An archetypal small-town boy with smarts and ambition, McDermott grew up in Carroll, population 10,000. His father sold seed to farmers. Des Moines was a hundred miles and another world away. “It was the big city,” he recalls. “The place we'd go every year before school started, to get our new shoes.”

As a senior at the University of Iowa, McDermott landed a summer internship in Washington, D.C. “That was the first time I'd spent much time outside of Iowa,” he says, “and it was a great experience. So when I came back that fall and started applying to law schools, I applied everywhere but the Midwest. I had this George Bailey-*It's a Wonderful Life* thing going, you know? I just wanted to get out of where I was from.”

Berkeley was a glittering new world. “I remember walking into the library and just being blown away,” he says. “Boalt was this impressive place in this

impressive city in this impressive region, and there was so much going on—so much energy. I wanted to be part of that.”

As a 2L, he interviewed for summer internships in New York. “It was early October of 2001,” he recalls, “and the ruins of the World Trade Center were still smoldering. New York at that time was unlike any place I’d ever been.” McDermott felt drawn to the city; also to Cravath, Swaine & Moore, where he’d landed an interview, and then an offer. That next summer, McDermott—whose good shoes had always come from Des Moines—walked into Saks Fifth Avenue and walked out with a pair of black Salvatore Ferragamos. “Awesome shoes,” he says. “They cost, I don’t know, 450 bucks or something. Suddenly it hit me: ‘*When did you start caring about Italian dress shoes?*’ It unnerved me a bit—though not enough to not buy the shoes; I still have them.” But the question was a seed, germinating in a crevice of McDermott’s mind that fall after he returned to Berkeley.

Also germinating was another seed, planted two years before. One day in Café Zeb, McDermott had struck up a conversation with a 2L—Des Moines native Nate Barber ’02—who’d noticed McDermott’s University of Iowa T-shirt. “Nate said, ‘Have you thought about going back to Iowa to practice?’ I said, ‘No way, man. I’m done with Iowa. That’s why I’m here.’ Nate said, ‘Well, if you change your mind, I know a firm in Des Moines...’” The fall of his third year, McDermott *did* change his mind. “A lot of people at Berkeley were surprised when I said no to Cravath so I could head back to this flyover state to practice at a 35-person firm,” he says. “But I’d done a lot of thinking after I came back from New York about what I wanted to do—about who I wanted to *be*”—and he’d decided that being a small cog in a big machine wasn’t it. Even McDermott’s Italian shoes, turned out, had picked up a tenacious dusting of Iowa soil.

Eight years later, McDermott is firmly rooted in Des Moines and firmly rooted—already a partner—at Belin McCormick, where he specializes in civil and criminal trials and appeals, along with commercial litigation and agricultural law. It is Iowa, after all. Married and the father of two, with a third on the way, he’s also deeply involved in his kids’ schools and his community. At age 29—drawing on his Berkeley experience at the East Bay Community Law Center—McDermott became board president of Iowa’s largest shelter for homeless people. “One of the great things about Des Moines,” he says, “is that if you’re willing to work hard and show initiative, you can quickly take on meaningful leadership roles.”

The same holds true, he notes, of practicing in a mid-size firm. “I’m sure I’ve gotten to handle more types of cases, and have more client involvement, much sooner at Belin McCormick than I would have at Cravath. I *liked* Cravath, and I’m grateful for the opportunity they offered. But here? I’ve got what I want in a career *and* what I want in my life.”

If McDermott evokes George Bailey, he also evokes another archetypal film character: Dorothy, the restless

dreamer who travels over the rainbow to a challenging, dazzling city, then chooses to return home—bringing back wisdom, gratitude, and a great new pair of shoes.

## SHARE AND SHARE ALIKE

When it comes to sharing with others, Janelle Orsi ’07 practices what she preaches. When it comes to balancing work with other things, not so much.

Orsi, an Oakland solo practitioner, specializes in a new niche: “sharing law.” She even wrote the book on it: *Practicing Law in the Sharing Economy* (ABA Books, 2012).

Orsi became fascinated with the concepts of sharing and community during law school, when she lived in “casual cohousing”: a house and two condos, bought by a group of friends who pooled their money. The group also shared a car, a vacuum cleaner, a garden, meals. Orsi liked living in community, and decided to launch a law practice to help others do so, too.

Going solo straight out of law school was a bold, unorthodox move. But Orsi—homeschooled from age 10 and enrolled in community college at 14—was accustomed to marching to a different drummer. “I felt that it was OK to do something completely different,” she says, “and that I could make it work.”

Her navigation has been good—she’s right on course—but her timing’s way off, in a positive way: Orsi is running several years *ahead* of the sensible pace she’d envisioned. “Like anybody trying to start up a law practice,” she recalls, “I got out and met a lot of people, went to a lot of events, told lots of people, ‘Hey, I’m a new lawyer in town, and I focus on sharing—sharing housing, cars, child care, gardens.’ At the time, most people had never heard of sharing law, but they seemed to think it was pretty cool.” Orsi’s website summarizes her practice like this: “She works with social enterprises, nonprofits, cooperatives, community gardens, cohousing communities, ecovillages, and others doing innovative work to change the world.”

Six months out, Orsi gave her sharing spiel yet again—this time to Nolo Press editor Emily Doskow—who suggested a book on sharing. “I’d dreamed of doing a book,” says Orsi, “but I’d thought it would be after years of practicing, not six months!” Orsi and Doskow co-authored *The Sharing Solution* (Nolo, 2008), and Orsi gave dozens of talks and interviews when it came out. Good reviews and wide exposure put her practice on the fast track. That’s not to say it was easy, or lucrative. “I didn’t make much money my first two years,” she concedes, “but I kept my cost of living and my overhead low, and I made it work.”

Two years after starting her practice, Orsi and another community-minded attorney, Jenny Kassin, co-founded a national nonprofit organization, the Sustainable Economies Law Center. There, lawyers and apprentices help individuals and groups overcome financial, legal, regulatory, and other barriers to unconventional ventures, particularly

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**FAIR SHARER:** Janelle Orsi '07 divides her time between running her practice, offering legal advice through a community nonprofit she co-founded, writing books, and cartooning—a hobby that helps her illustrate points at the Resilient Communities Legal Café—yet another endeavor focused on “sharing law.”

A woman with long dark hair, wearing a black polo shirt, is flexing her right bicep. She is smiling and looking towards the camera. The background is a bright, sunny outdoor setting with green foliage and a blurred building. A blue geometric shape in the top right corner contains text.

**FLEX TIME:** Most of the 50 attorneys at Paragon Legal Group, including founder Mae Tai O'Malley '98, enjoy the firm's flexible work hours and predictable schedule—part of a competitive employment package particularly appealing to women.

socially or environmentally progressive ones. This endeavor, which Orsi directs, has also grown faster than she expected. “The organization recently launched a new Bay Area project,” she says, “the Resilient Communities Legal Café. One day a week, we offer legal advice and resources at a local café or some other casual setting. It’s sort of one-third legal advice clinic, one-third living classroom for lawyers and law students, and one-third community-building salon.”

Third by third, half by half: It’s not just a shared life Orsi leads; it’s also a busy, fractionated life. “The Sustainable Economies Law Center and the café are now taking about 30 hours in a week,” she says. “So between that and my law practice, I work”—she pauses, tallying—“probably 60 hours a week.” Orsi laughs. “This is bad!” A fraction of a second later, she adds, “But it’s a much happier way to live when you have a support community.”

### PARAGON OF CONTRACTUAL VIRTUE

Most CEOs would kill for a business model like Mae Tai O’Malley’s ’98. Her overhead is practically nil; with 50 employees on the payroll, she rents office space for just four. She doesn’t advertise, yet her revenues have grown by double digits every year since 2006 and clients beat a path to her door, as do aspiring employees. Oh, and the business—Paragon Legal Group—appears recession-proof, or “cycle-proof,” in O’Malley’s words.

Clearly the result of a brilliant strategic-planning effort, right?

Actually, no. It was more a matter of O’Malley figuring out a life/work balance that worked for her, and then finding that it worked—really, *really* worked—for lots of others, too: not just other attorneys, but clients as well.

O’Malley’s story began, like most good stories, somewhere other than where it’s led: Her out-of-the-box tale started squarely inside the box—at the San Francisco mothership of Morrison & Foerster. Two years later, O’Malley went in-house, at a client firm. “The timing seemed really good,” she recalls, “because the company was about to go public.”

The year was 2001, and the economy was booming—but not for long, it turned out. “It was right at the tail end of the market boom,” says O’Malley. “Right before the bust. I went in-house, the company went public, and then the company went bankrupt.” O’Malley was laid off, though rehired as a contractor.

For the next few years, she worked a patchwork of contract legal jobs, including a part-time gig at a startup company. That’s when a game-changing opportunity arose: a request for legal help—as many hours as O’Malley could provide—from a good friend who worked in-house at Google. O’Malley said “yes” to the Google project. “But I wanted to hedge my bets,” she says, “so I hired someone to do the startup company’s work until the Google project was done.” Instead, the Google project mushroomed, and O’Malley hired more attorneys for more contract work.

Like her, most were women with young children. When O’Malley started Paragon in 2006, she had just given birth to her third child. A set number of hours and a predictable schedule soon became part of the company model, and seven years later, O’Malley says about 85 percent of Paragon’s 50 attorneys are working mothers. The high percentage isn’t by design; in fact, O’Malley has tried to lower it. “But we’re a very flat organization,” she says. “Everybody’s paid exactly the same rate, and we don’t have a hierarchy or a partnership track. Maybe that’s one reason we don’t

## Changing Times, Changing CDO

To help Boalt students adapt to the job market’s changes and new realities, the Career Development Office (CDO) has made changes, too, says Terry Galligan. It now has three staffers who focus on helping students find alternatives to the Big Law career path. Melanie Rowen and Alex Lee, both of whom have experience in nonprofit organizations, work to assist students interested in public-interest and public-sector careers.

“As a public institution, Boalt has a culture that strongly supports those career choices,” Galligan notes. “Also, the dean has recently made further improvements to our LRAP—the Loan Repayment Assistance Program, which covers up to \$100,000 in law-school debt for graduates

in qualifying public-interest jobs. “We have probably the best loan-forgiveness program of any public law school now,” says Galligan, “and it’s helping a lot of our alums who are interested in taking that path.”

A recent addition to the CDO staff is Samorn Selim ’09, who helps connect students to small, mid-size, and boutique firms, which generally lack the recruiting resources of large firms. Selim—who specifically sought (and successfully found) a job at a mid-size firm after graduating—explains that the search process is different, and at times daunting. “It takes more initiative,” she says. “Unlike Big Law, there’s no comprehensive list such as Vault or the *National Law Journal* that lists all boutique, small, and mid-size firms in one

place, so it takes more work to figure out what’s out there.”

Not every law school grad fits the needs of a small or mid-size firm, Selim says. “These firms are looking for particular strengths. They want people with initiative, entrepreneurship, and business development skills—the ability to come in and help grow the business.”

By the same token, the work in small and mid-size law firms doesn’t necessarily fit the needs of every student. “If you want more structure, training, and supervision, it might not be for you,” Selim concedes. “But if you’re like me—if you want to hit the ground running, and if you want to be writing motions and managing your own cases within a couple of years—it can be a great fit.”

attract many men,” she shrugs verbally. “We built the house, and who comes, comes.”

Paragon’s attorneys work anywhere from 10 to 40 hours per week, with the average around 30. They receive what O’Malley calls very competitive pay and benefits. Paragon’s approach—embedding senior-level attorneys onsite within client companies, on a project basis and an agreed-to schedule—works as well for O’Malley’s clients as it does for her employees. So far, it’s also worked in good times and bad. “When the economy is robust, client need increases,” she explains, “and when things are lean and they’re laying people off or unable to hire, we’re a great interim solution.”

The *ABA Journal* named O’Malley a “legal rebel” in 2009, titling her profile “Mogul Mom.” Paragon’s Google gig is over, but plenty of other big clients have signed on, including Netflix, Autodesk, Salesforce.com, SanDisk, and LinkedIn. Asked whether she plans to take the company nationwide, O’Malley hedges. “I want to be very careful with quality control,” she says.

About that strategic plan? “I don’t have a 5-, 10-, or 20-year plan,” she concedes. “I probably should.” Or maybe not, she decides after a moment. “When you’re not locked into a plan, you’re more able to change and to flex. We’re very lean, very nimble.”

Flexible, but predictable. Just the way she likes it.

## SWIMMING ACROSS THE CURRENT

Halfway across the Golden Gate—not the bridge, but the strait itself—a 37-year-old lawyer stops in mid-stroke and treads water. The man, like the span overhead, is suspended: poised 250 feet below the hanging roadway, 372 feet above the sea-channel’s floor, steady amid currents of water and air. “Swimming underneath that bridge, looking up at it from below, is just amazing,” says Harry Jackson ’56. “One of the most exciting experiences I’ve ever had.”

Jackson—a serious swimmer for decades—swam the Golden Gate only that once, in 1969. But the feat seems emblematic of his 57-year legal career: He likes open water, unmarked lanes, uncrowded territory.

It took some time for Jackson’s nonconformist colors to show. His first dozen years in practice were conventional—possibly because of parental influences: the values instilled by his mother and father, and the financial pressures posed by his early, prolific procreation. “I grew up during the Depression,” Jackson says, “and the work ethic—‘get a job and earn your pay’—was drilled into me early.” During law school, he juggled three jobs: two part-time campus gigs during the week, plus weekend shifts in an envelope factory.

After Boalt, he clerked in federal district court in San Francisco and then took an associate’s job doing transactions and litigation at Chickering & Gregory, a firm whose three dozen lawyers made it fairly large, by 1958 standards. “We represented big companies,” Jackson says, “Caterpillar,

Cargill, Merck, banks, also lots of wealthy estates.” The pay was good, and it needed to be: By the time he’d finished law school, Jackson had one child in diapers and another on the way; two more followed in swift succession. “There were a lot of bills to pay,” he laughs.

But underneath the tightly cinched collar, Jackson was starting to chafe. After eight years at Chickering & Gregory, he jumped ship, becoming secretary and counsel at one of the firm’s clients. He spent five years there, then leapt again—into solo practice—representing a large land developer and a trade association. But San Francisco felt confining and in 1980, Jackson—his children grown and his marriage over—headed north, to Napa Valley. “I bought 10 acres in Calistoga back when things were still cheap, hung out a shingle, and became a storefront lawyer,” he says, “a general civil and trial practitioner.” This time he stayed put for a decade, a record for him, before moving on.

Jackson grew up in Seattle, and he’d always imagined returning to the Northwest. In 1990, he made the move, to Port Angeles, a waterfront town of 19,000 on the Olympic Peninsula. “I found a place right on the Strait of San Juan de Fuca,” he says: open water once again; a storefront law practice once more, along with teaching at the local community college. He also teamed up with a few other mavericks to form a volunteer legal-aid clinic, Clallam County Pro Bono Lawyers.

Now 81, Jackson still works one day a week in the clinic, often on collections and tenancy disputes. He also serves as a court-appointed attorney, usually representing juveniles and parents in delinquency and custody cases. He finds the work—the clientele—deeply satisfying. “Even back in law school,” he says, “it struck me that there’s a fundamental disparity between those who can afford legal representation and those who can’t. But justice is for everybody—or should be. The bullying that goes on, by those with wealth against those without it—it’s disgraceful.” He pauses, treading water. “I represented the rich and powerful for 30 years. Now I’m representing the underdogs. Goodbye, cognitive dissonance.”

During Jackson’s San Francisco Bay swimming days, he once swam from Alcatraz to Fisherman’s Wharf. “I got caught in an ebb current,” he says, “and it took me way off course. That was over 40 years ago.”

Here’s the thing about an ebb current: It’s too powerful to outswim; too strong to oppose directly. A swimmer’s only hope is to angle across it; change course; embrace a new heading, a different direction.

That way lies survival. Adventure and fulfillment, too, judging by Jackson, O’Malley, Orsi, and McDermott. ■

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