

Empowering Junior Lawyers: The Importance of Allowing them Opportunities in the Courtroom



The American Bar Association's Young Lawyers Division has adopted a resolution that calls for courts to allow two attorneys to argue for each client. The resolution is non-binding, but it represents the ABA's most concrete step yet toward giving junior lawyers more experience in the courtroom. According to the report submitted alongside the resolution, lawyers who have practiced for less than ten years or are under 36 often handle the bulk of factual review and document drafting, while senior attorneys typically handle client interactions and court arguments. The change would give newer lawyers more court time and bolster diversity since women and minorities are disproportionately junior in the profession.

Clients typically want an experienced lawyer representing them in court, but young lawyers cannot gain that experience unless clients entrust them in the courtroom. A general decline in trials has further limited courtroom opportunities for early-career lawyers, making it increasingly difficult for them to gain experience. This has resulted in a situation where young lawyers are left in a catch-22, unable to gain the experience necessary to advance their careers without the opportunity to practice in the courtroom.

The resolution calls for courts to allow two attorneys to deliver oral arguments, particularly when one of the lawyers is in their first ten years of practice. This would give young lawyers a chance to gain experience in front of a judge and jury and provide them with the opportunity to hone their skills in a real-life setting. The ABA and the Young Lawyers Division have made similar calls before. Still, this latest resolution is their most concrete step in pushing courts to allow young lawyers to participate more actively in courtroom proceedings.

The report submitted alongside the resolution states that individual judges who have adopted similar policies to bolster court participation by junior lawyers have had great success. These policies have allowed young lawyers to gain experience in the courtroom and have made it easier for them to advance their careers. The report also notes that judges and courts that adopt these policies can "make the case to clients that junior attorneys should have an active role in courtroom proceedings." This would give young lawyers a valuable opportunity to showcase their skills and abilities and give clients confidence in their abilities.

The resolution adopted by the ABA's Young Lawyers Division is a step in the right direction for the legal profession. It would provide young lawyers with the opportunity to gain valuable courtroom experience and help address the current shortage of courtroom opportunities for early-career lawyers. Allowing two attorneys to argue for each client would make the legal profession more diverse, with women and minorities given a better chance to advance their careers. Overall, the resolution can benefit the legal profession and should be considered by courts and judges looking to support the development of the next generation of lawyers.

REFERENCES:

ABA to judges: Give junior lawyers their day in court