

Memo

To: Dr. Horowitz

From: Aidan Pounder

Date: 11/17/20

Subject: Occupational Analysis of Criminal Defense Lawyers in Charlotte, NC

In this report, I will be describing the current and the projected states of criminal defense lawyers working specifically, in and around the Charlotte, NC area. This is a career that I've had my sights on since my early high school days, and this will be useful information as I will be taking my LSAT exam in December. I will speak on the demographic, economic, human, technological, political, and cultural factors of this career. The purpose of this report is to provide an idea of the specific career in question and provide details that may help those who are also interested in this field. I hope this report will hope those who take the time to read it and make a well-informed decision on their own future career path.

Please contact me by email if you have any questions. pounderab@appstate.edu

Occupational Analysis of Criminal Defense Lawyers in Charlotte, NC

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November 17th, 2020

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Executive Summary

The projected state of criminal defense lawyers, specifically in the area of Charlotte, North Carolina, is expected to see little to no change over the next ten years. According to the Bureau of Labor Statistics, there will be a 4% change in employment over the next ten years, but it will not affect current criminal defense lawyers (“Job Outlook”). However, this change in employment will affect people interested in this career field in and around Charlotte, NC and will impact their chances of getting a job. In this report, I focused on criminal defense lawyers and pertinent information to those looking for a job in the Charlotte area. I focused on criminal defense lawyers and the current/future stability of this field due to a variety of different factors from the nature of the industry to general population numbers.

According to the Bureau of Labor Statistics (BLS), the number of jobs for criminal defense lawyers was 813,900 in 2019 (“Job Outlook”). I found that the overwhelming majority of criminal defense lawyers work with legal services, 50% to be exact, and 17% were self-employed. Through my research, I found there were conflicting reports on the projected state of this industry, but I believe BLS will be more accurate with their prediction than other sources. Thus, I found the projected employment of lawyers across the nation to be 846,300 in 2029 (“Job Outlook”). The current state of criminal defense lawyer’s salary was \$122, 960 as of May 2019. I was, however, unable to find any information on the projected state of criminal defense lawyer’s pay.

The entry level education for any type of career in the criminal defense lawyer field is an undergraduate degree and a J.D. (Juris Degree) from an American Bar Association (ABA) accredited law school. The entry level education for this field requires about seven years of study. The human factors will remain the same in the next ten years, and for the foreseeable future, as an overhaul of the American justice system would be necessary to change any of the current requirements regarding practicing law. As far as technological factors go, it is not necessarily the criminal defense lawyer field changing and evolving, but rather the criminal investigation field. By this, I mean that police departments across the nation are transitioning to a more advanced and 21st century approach to apprehending, surveilling, and capturing suspects regarding criminal investigations – thus affecting the criminal defense lawyer field.

Political factors that affect criminal defense lawyers is a never-ending discussion. It could be argued that absolutely anything and everything politically related, affects the criminal defense law field. Specifically speaking, there should not be a change to the projected state of political factors affecting criminal defense lawyers in Charlotte, North Carolina as all the current holders of political office in the area recently just got reelected (Walsh, 2019). The only change to cultural factors for the projected state of lawyers as a generality is who they are employed by. Culturally, it seems that the law industry is being pushed towards being corporate specific. This is through the growing employment of “in-house” law departments in large corporations. This change will affect the law industry as a whole but will not affect the culture of criminal defense lawyers.

With all the information gathered during my research, I have found that criminal defense lawyers will not have to fret for the future of their industry. A variety of different factors ensures that this field will have continued success from current day to the foreseeable future. As time passes, lawyers as a generality may move away from their traditional roles in a law office, to more specific roles for a specific company. However, to reiterate, the projected state of criminal defense lawyers is not likely to change much, if at all.

Introduction

Overview

Criminal defense lawyers are the most popularly characterized type of lawyers in movies and TV shows and are specifically what comes to mind for most people when referring to "a lawyer". Though there are many different varieties and types of lawyers, this will be the specific field I will be researching. Lawyers are an active part of our justice systems, and this statement is especially true for criminal defense lawyers. Criminal defense lawyers are also arguably the group of lawyers that is "closest" to the community. I shall address these issues and more within the report.

I am writing this report in the hopes that other underclassmen who find themselves in a similar situation such as myself, may also find answers to some important questions regarding the field of criminal defense lawyers. This report shall discuss important factors that influence the current and projected states of criminal defense lawyers. As I have been living in North Carolina for the past decade, I will personally be focusing on pertinent information to Charlotte, NC. There will be specific information presented in this report that may stand true for criminal defense lawyers in Charlotte, but possibly not for other criminal defense lawyers elsewhere.

As mentioned previously, there is a wide range of types of lawyers, and within each type there can even be nuances specific to that type of law. Though criminal defense lawyers perform essentially the same job in the same setting, day-to-day life may differ company to company. There is even differentiation within specifically criminal defense law, as a broad definition this type of law deals with any issues surrounding an arrest, criminal investigation, criminal charges, or things of that nature. Though, we all know there are lawyers for specific criminal offenses, such as DUI criminal defense lawyers. Criminal defense lawyers are responsible for appearing in court on behalf of the person they are defending and presenting a case to a judge/unbiased jury with the goal of (hopefully) reducing or alleviating the defendant of all charges they're facing. As technology develops, this field in its essence and nature don't change very much and remain quite stagnant in this sense, though there are some new technological advances that have impact on this field.

Methodology of Sources

To begin my research, I visited the Bureau of Labor Statistics (BLS) *Occupational Outlook Handbook* website. This site provided me with the current state of criminal defense lawyers and some projected information on the field. This site also provided website links to other sites that furthered my understanding of the state of the field, such as O*Net Online and the American Bar Association webpages. I will be using various pieces of information from these three sites to provide necessary information for my report. The limitations I faced with the BLS website was the site not providing a large enough pool of information, the lack of specificity the criminal defense field of law, and the website not having a specific focus on law careers. I faced limitations

through many of my sources that are not specific to criminal defense lawyers, but lawyers in general, as well as limitations on specificity of location, not just information from Charlotte, NC.

Internal reliability was demonstrated through my methodology of research, as under similar conditions, similar findings would be presented. External reliability of this report was demonstrated through my unbiased reporting of information and through Figures I-3 that provides information accurately. Internal validity was unable to be demonstrated in this project, as I was unable to find a criminal defense attorney from Charlotte, NC who was able to spare time to speak to me directly about whether my report is true. There was little to no external validity demonstrated in the methodology of my report, as the only other contexts that my findings may be applicable is to another lawyer in a large metropolitan city other than Charlotte, North Carolina. Sampling was demonstrated through unbiased reporting of information to provide findings that are representative of all the possibilities.

Data was analyzed in an ethical manner and came from ethical and scholarly sources. The visual representation of my data was all collected from the Bureau of Labor Statistics, therefore due to the high status, known accuracy, and a long history of ethical representations of data (visually as well as written) we know that my visual representation of data was ethical. My writing in this report was ethical as I had nothing to gain from misrepresenting information and not providing my data/research in an ethical, accurate, and true fashion. I collected my sources through Google searches and through Appalachian State University library databases.

Organization of Report

This report will be covering both the current state of criminal defense lawyers and the projected future state of this field. The report will be organized by first covering the current state of the criminal defense field of law, and then later moving to the projected state of this field, as these are the two main sections of this report. Both these main sections of the report hold the same subsection titles, which include: Introduction, Demographic Factors, Economic Factors, Human Factors, Technological Factors, Political Factors, and Cultural Factors. Following the conclusion of the last subsection of the projected state of the criminal defense field of law, I will provide a conclusion, with sub-sections titled: Analysis of Findings, Recommendations and Conclusions, and Works Cited.

Current State of The Occupation

Introduction

Lawyers, also known as attorneys, as a general job function advise and represent people, businesses, and even government agencies on legal issues and disputes. Lawyers typically advise and represent clients in courts, before government agencies, and in private legal matters,

communicate with their clients, colleagues, judges, and others involved in the case, present facts writing/verbally to clients or others whilst also arguing on behalf of their clients, and finally they must prepare and file legal documents such as lawsuits, appeals, wills, contracts, and deeds (BLS, 2020).

Lawyers often (and nearly always) specialize in a specific field of law; for this report, I shall be focusing on criminal law attorneys or otherwise known as (criminal) defense attorneys. Whilst conducting my research, I noticed that there were no distinctions between the specific fields of law regarding salary, employment, and many other factors that influence the current and projected state of the field in question.

By researching a variety of factors, I will be able to provide a better understanding on the field of criminal defense law. I will be analyzing pros and cons and give an unbiased report on the current and the projected state of this specific field of law.

Demographic Factors

The U.S. Census Bureau stated that “the estimated population of Charlotte, NC as of July 1st, 2019 was 885,708 people” (U.S. Census Bureau, 2019). According to the Bureau of Labor Statistics (BLS), there were 813,900 jobs in the field of law as of 2019 (BLS, 2020). Since this website does not specify the difference in specific fields of law, this information needs to be taken with a grain of salt, as there are not 813,900 jobs in specifically the criminal defense field of law. I found data from May 19th, 2019 on the Bureau Labor Statistics website, that stated 13,620 lawyers were employed in the entire state of North Carolina. I was unable to find any specific data relating to the number of lawyers in Charlotte, NC specifically from the Bureau of Labor Statistics or any other websites.

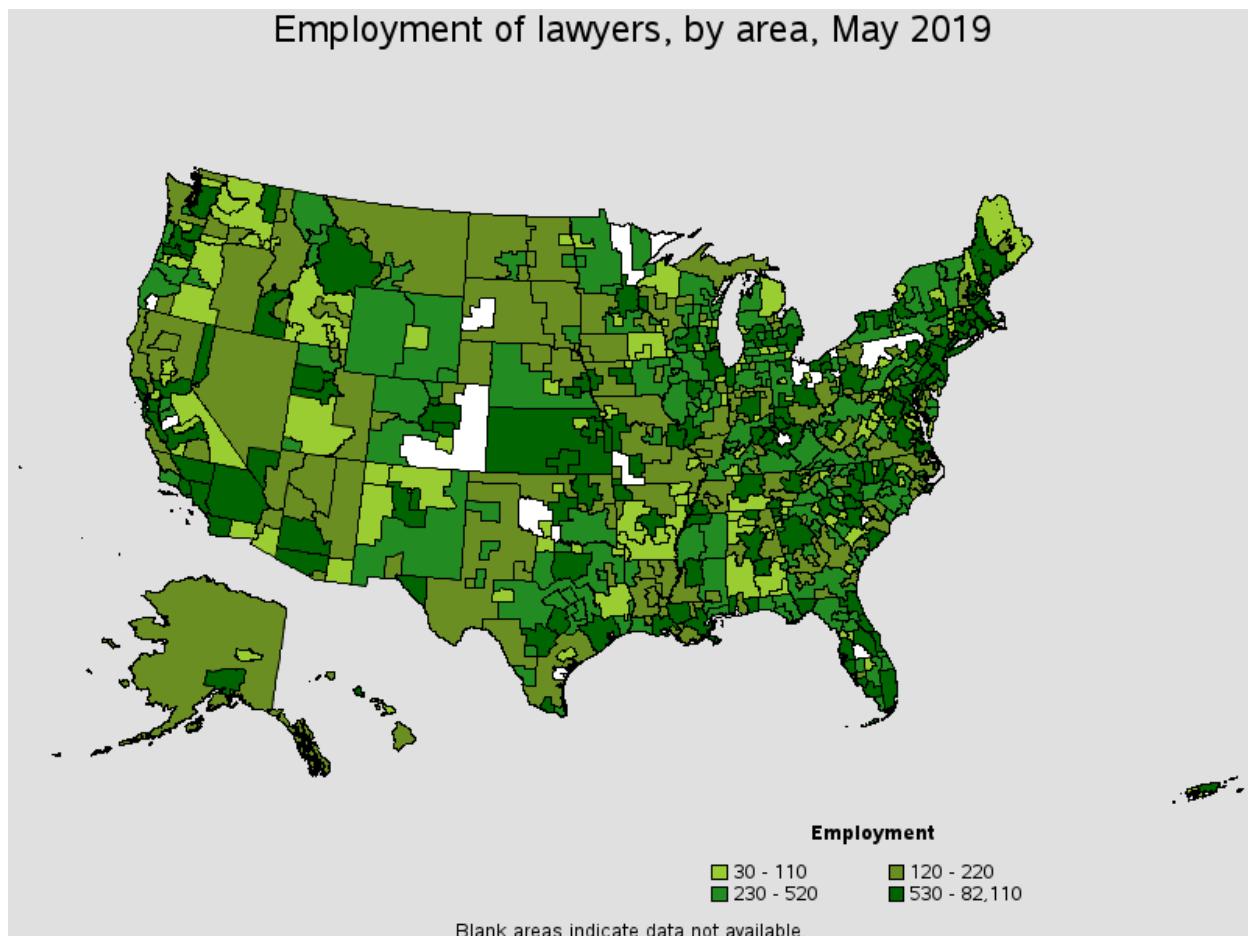


Figure I

(Data Extracted from “Occupational Employment Statistics”, <https://www.bls.gov/oes/current/oes231011.htm#st>)

The figure above provides information on employment around the country in regards to the general field of law. Upon close inspection, Figure I provides employment density information on Mecklenburg County compared to the rest of the state, and the rest of the United States. Mecklenburg County is a county in North Carolina, and is being focused on as Charlotte, NC is the center of this county and specifically what we will be reporting on. It's clear that the Charlotte, NC area has the highest employment density available that this image provides, but not specifically how many lawyers there are. From this, we still may assume that there will be a larger number of jobs in Charlotte, compared to NC in general.

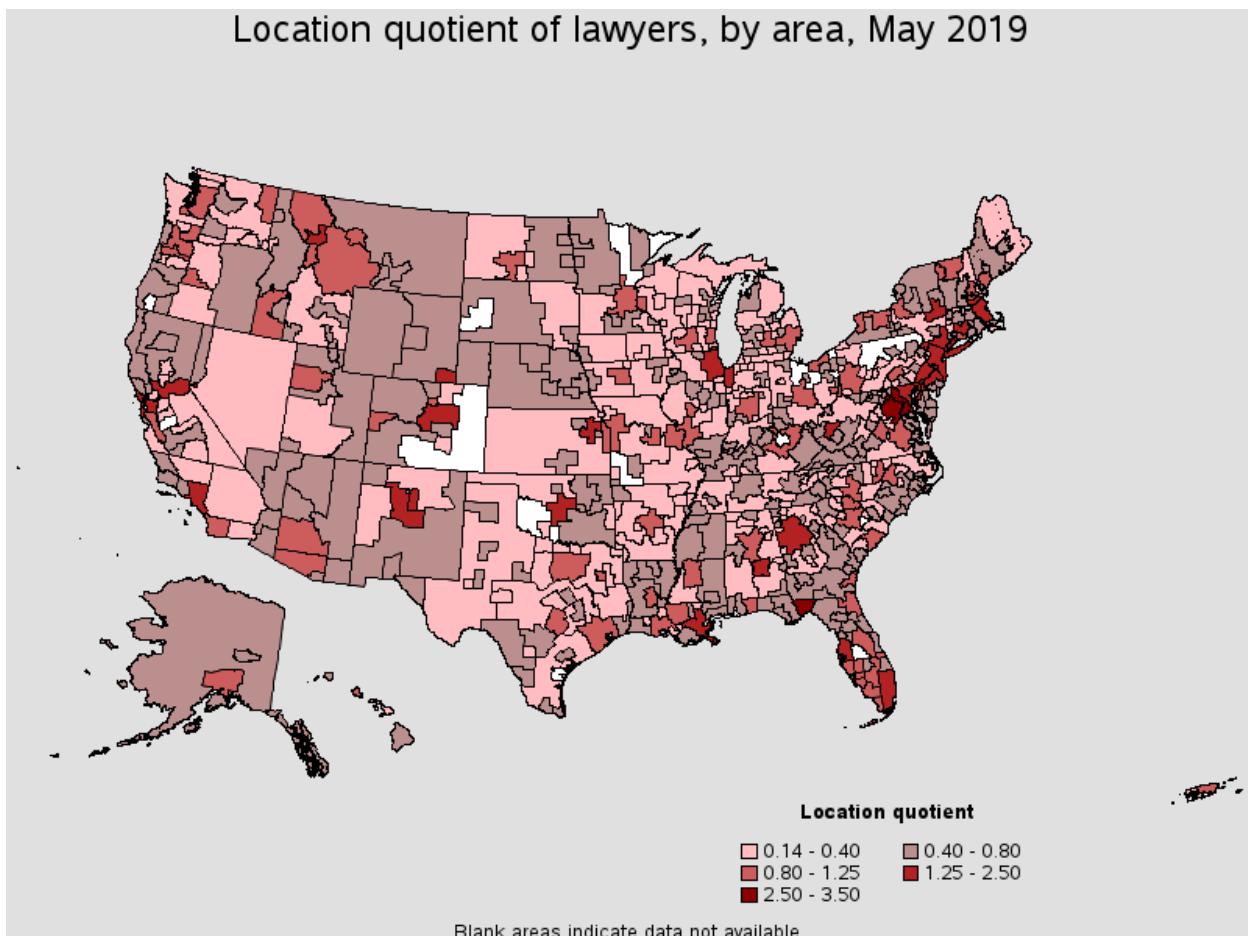


Figure II

(Data Extracted from “Occupational Employment Statistics”, <https://www.bls.gov/oes/current/oes231011.htm#st>)

The figure above provides more background information on why Charlotte, NC has more lawyers than the rest of NC as a generality. It comes down to the simple fact that there are more people in metropolitan areas and cities, than in more rural areas. More people simply means more criminal charges and cases being brought forth before a judge, thus requiring a criminal defense lawyers. Even if the individual charged cannot afford to hire their own personal lawyer for the case, a public defendant will be appointed to them. Criminal defense lawyers are regularly appointed as public defendant to defend those individuals who cannot afford their own lawyers. The areas of the U.S. that have the highest concentration of jobs and location quotients are: D.C., Tallahassee, FL, Charlestown, WV, New York/New Jersey City/Newark, Santa Fe, NM, Trenton, NJ, Missoula, MT, Miami, FL, Albany, NY, and Denver, CO (BLS,2020). These locations have similar concentration of jobs to Charlotte though undoubtedly more as they are the highest in the U.S.

Economic Factors

As of 2019, the average median pay for lawyers was \$122,960 a year, which translates into \$59.11 an hour (BLS, 2020). Over the past few years, there has been little to no change in the

employment of lawyers around this country. The field of law actually has closely followed the national average in terms of employment, which I've found data to support.

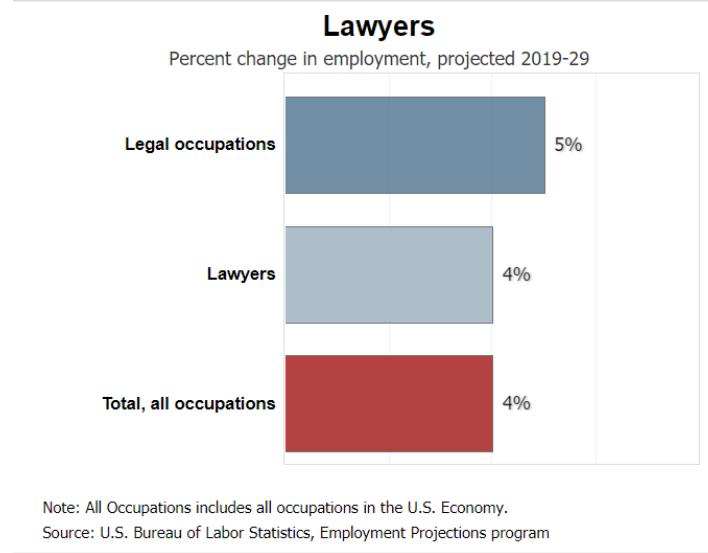


Figure III

(Data Extracted from: "Job Outlook", <https://www.bls.gov/ooh/legal/lawyers.htm#tab-6>)

The figure above presents information on the percent change in employment of legal occupations and lawyers, specifically, against all occupations in the U.S. economy. This provides an idea of the stability of the field, and these numbers speak to how secure a field this truly is to enter. With the employment of this field basically following in line with the country's employment is a very positive indicator of field stability.

Human Factors

The entry level education for any type of lawyers requires at least seven years of education, four years of undergraduate studies paired with three years of law school. Besides acquiring your J.D. (Juris Degree) from law school, you must also pass the bar exam. Prospective lawyers take licensing exams, called bar exams. These bar exams provide prospective attorneys the legal right to practice law and are in turn, "admitted to the bar". One isn't just allowed to graduate from any law school either, to pass the bar one must have graduated from an American Bar Association (ABA) accredited law school. The American Bar Association was first founded in 1878 and is a group of lawyers "committed to advancing the rule of law across the United States and beyond by providing practical resources for legal professionals, law school accreditation, model ethics codes, and more" (ABA, 2020).

Technological Factors

As technology changes, so do the occupational tasks one may have. In this vein, the actual practice of law has in a sense become easier. "Today police departments are using surveillance cameras, gunshot detection systems, automated license plate readers, facial recognition software, body cameras, drones, and numerous databases to prevent, respond and investigate crimes" (Joyce, 2018). This has made defending clients in some cases, easier. Technology has also improved law firm efficiency through lawyers' ability to work from home (obviously not all the time as they are required to appear in court) and clients are even more easily able to access their attorney's through e-mail and phone calls than ever before. The improved ability for a client to communicate with their criminal defense lawyer is the biggest impact that technology has had on this field.

Political Factors

There are a tremendous number of political factors that affect this field currently and will affect the field in the future. I could legitimately write an entire report on just this subject in relation to the criminal defense field of law. From who the current President of the United States is that holds office, to supreme court justices, to local ordinances and laws; all levels of politics have an impact on this field. I will provide the most condensed version of the political factors surrounding the field whilst also highlighting the most important points. Clearly, who is in office in local counties to who is in office in the White House make a huge impact on this field. Laws are ever changing and the decisions these elected representatives make, have a direct effect on the field. Regarding local laws and ordinances in Charlotte, NC concerning the current Covid-19 pandemic, the Olsinski Law Firm states:

Larger cities such as Charlotte will have city ordinance violations, while other cities may not. The general statute allows these laws to be put in place for each city as each city can structure itself based on its own needs. City ordinance violations are generally class 3 misdemeanors unless the ordinance specifically states otherwise. Therefore, more serious offenses such as robbery, drug crimes and sex offenses would not be under any city ordinance (Olsinski, 2020).

This statement is from a criminal defense law firm based in Charlotte, NC explaining some of the nuances that affect the local community and to inform and therefore hopefully prevent the community from receiving any criminal charges. This statement from the local law firm, provides an example of certain political factors that affect the criminal defense law field in specifically Charlotte, NC.

Cultural Factors

The cultural factors of an occupation refer to the attitudes, values, and perceptions of the employees in a certain field. I don't need to do research to be able to tell you that lawyers in general, hold one of the most significant occupation titles in the United States. The two jobs that most people associate with success in this country are doctors and lawyers, historically that's

been our people's attitudes and perceptions towards this field. The field is highly valued in general across the country, from the local community, to the highest of ranking government officials, and even to international companies. International companies quite frequently have "in-house" lawyers through the form of having their own legal department complete with a full legal team. Though I was unable to find the public perception of lawyers in Charlotte, North Carolina, I did manage to find some information on how college students may feel towards lawyers in North Carolina in general. "Campus officials like to say that student disciplinary hearings are not court proceedings. There is no such thing as a finding of guilt -- only "responsibility" -- and even in the most serious cases where students are suspended or expelled, they say, the purpose is more to teach good citizenship than it is to punish wrong behavior. Which is why a new law in North Carolina, the first of its kind, has them worried. The legislation, signed into law on Friday, guarantees any student at a public institution in the state the right to legal representation, at the student's expense, during campus judiciary proceedings" (Grasgreen, 2013). This law marked a huge change in the handling of incidents on college campuses, and naturally I believe shows how much lawyers mean to specifically college students in North Carolina.

Projected State of the Occupation

Introduction

In the sections following, I shall discuss the projected state of criminal defense lawyers in Charlotte, NC. There is limited change that will come to this industry, as the necessity and demand for this industry will remain for the foreseeable future and beyond. This is due to the nature of the occupation, as criminal defense lawyers make up a fundamental part of the justice system in the United States. Population numbers rising in metropolitan areas may possibly affect the projected state of this occupation will.

Demographic Factors

I found contradictory data when researching the demographic factors affecting the field of law. There was not too much specific data on projections for lawyers and percent rate of change in employment for the field on the Bureau of Labor Statistics website; I found that in 2019, there were 813,900 lawyers employed nationally. The projection for the general field of law is a rise of roughly 4% to 846,300 lawyers employed across the United States in 2029. This indicates a highly promising career path for lawyers in general around the country. When researching to find more specific information that pertained to Charlotte, NC, I found future projections for the state of North Carolina that did not indicate much positive information. According to *The Law School Tuition Bubble* (LTSB), the 2024 projected employment for lawyers in the state of North Carolina will be 17,870. There is projected to be a 10.4% loss in employment between 2024 to the projected year of 2026 bringing the projected count of lawyers in the state of North Carolina

down to 16,010 (Leichter, 2018). Population numbers are always and exponentially rising, and the more people there are in this country, the more criminal cases there will be. Therefore, increase in employment of lawyers should continue to rise as the years pass and the population increases. The population of Mecklenburg County, where Charlotte, North Carolina is, projects 1,327,648 people to be living in the county by July 2029 (OSBM, 2019). The population serves as a client pool, as anybody from all walks of life can find themselves in a criminal case.

Economic Factors

I was unable to find any data on projected salaries for lawyers to compare to their current average salary. If we take what we learned from the projected demographic factors, it's possible to make our own prediction on either raise or rise in pay due to employment. For lawyers in general across the country, if we take the data collected on projected employment, lawyers' pay should increase exponentially by paralleling the growth of the employment in the field. If we try to predict the pay of lawyers' in the future in North Carolina, specifically, from the information on projected employment within the state then we will be left with two possible outcomes. With a decrease in the number of employed lawyers, either the average pay of lawyers in North Carolina increases as only the best/top lawyers in the state will be employed thus bringing a high wage with them. This, or an overall decrease in pay will follow for North Carolinian lawyers, as with the field shrinking, the need for lawyers will decrease, thus decreasing the pay for North Carolinian lawyers.

Human Factors

The human factors for criminal defense lawyers as well as lawyers in general, will remain the same over the next ten years and for the projected future. The current entry level education for any type of lawyer, requires at least seven years of education, four years of undergraduate studies, and paired with three years of an American Bar Association (ABA) accredited law school. Besides acquiring your J.D. (Juris Degree) from law school, you must also pass the bar exam from the ABA to practice law. The requirements will not lessen over the years, and I see no valid possibility of these requirements changing at all in the foreseeable future.

Technological Factors

For the prospective future, technological factors should not affect this industry much in the foreseeable future unless groundbreaking new technology is founded regarding criminal investigation techniques. The largest change in this field amounting from technological factors and breakthroughs, is the ability for clients to contact their attorneys or lawyers. The likelihood that technology evolves to allow even easier and faster communication to others in the foreseeable future is so high, it's almost a given. Communication is an everchanging field in technology and undoubtedly this will be the largest prospective change to the industry. In terms of law enforcement agencies (LEAs), there will be continued development to the field. "According to national survey results, use of several technologies was expected to increase sharply within

the next several years. These include predictive analytics software (15% of all agencies have plans to acquire and implement within 2 years; 22% of the large agencies plan to acquire this technology), and in-car electronic ticketing (11% and 38%, respectively). Also notable were the reported intentions to acquire next-generation 9-1-1 (14% and 11%, respectively) or UAV/drones (7% and 9%, respectively) within the next 2 years" (Strom, 84). Charlotte North Carolina would be considered a large agency, and thus the second percent attributed to technologies is what will be the specific development we are concerned with.

Political Factors

Prospective political factors that affect the field of criminal defense law and lawyers in general, are impossible to predict or theorize. Our country is based on democracy and elections happen so frequently in city, county, state, and federal levels that predicting future political factors would be asking to predict future politicians. This is an impossible ask. For the future of the criminal defense field of law, political factors will always and forever affect this field as they go hand in hand. Politics and law are two cogs in the same machine, both will forever affect each other. In terms of specifically Charlotte, North Carolina and in terms of political factors that affect the future of this field, there should not be much change. This is due to the stagnant nature of Charlotte's politics to date. "Charlotte voters Tuesday easily re-elected Mayor Vi Lyles, the City Council's four at-large Democrats and District 6 Republican Tariq Bokhari. Lyles won 77% of the vote over Republican candidate David Michael Rice, becoming the first mayor since 2011 to land a second term in office, with all precincts reporting" (Walsh, 2019).

Cultural Factors

"What the average plumber, secretary, or for that matter, the average investment banker, thinks about courts and lawyers is undoubtedly much different from what lawyers themselves think, or judges, or professors of law" (Friedman, 1989). I find that though this quote from *The Yale Law Journal* is over three decades old, it still stands true today. To the general public, lawyers are held in such high esteem in our society. On the flip side, lawyers don't view themselves in this light and just see themselves as the last line of defense against injustice in our court systems. The biggest cultural factor that will affect the prospective criminal defense law field will be more of a move in the direction of how lawyers are employed. "Between 2010 and 2017, in-house teams in the United States added over 30,000 lawyers to their ranks while law firms remained largely static. In total, law departments increased in size by more than 40% in this period while law firm head counts rose by a measly 2%" (Bruch, 2019). There is a clear and direct push for more "in-house" law departments for companies. This trend looks like it will continue for the next decade, in regards to the prospective growth according to *Deloitte*, "most important, there will need to be an acknowledgment of the evolving role of the legal department—from traditional, reactive lawyers to a strategic business unit composed of top legal minds and strategic, process-savvy operators" (Reid, 2019). This cultural factor could provide means that the business field of law specifically may increase, but this won't affect the growth of the criminal defense field of law.

Conclusion

Analysis of Findings

The likelihood that the future projected state of criminal defense lawyers is going to be anything besides positive, is highly unlikely. Population numbers always rising, especially in metropolitan areas such as Charlotte, North Carolina, will always mean there is work for attorneys to find. “Discourage litigation. Persuade your neighbor to compromise whenever you can. As a peacemaker the lawyer has a superior opportunity of being a good man. There will still be business enough.” – Abraham Lincoln (Forbes, 2020). Disregarding President Lincoln’s personal views on lawyers, even hundreds of years ago he states there will be business enough for lawyers and that statement still stands true today.

Recommendations and Conclusion

I came across an article in the ABA Journal written by Jay Foonberg, titled “Why I Love Being a Lawyer”. I found the words to be enlightening on a criminal defense attorney’s anecdote about a day in the life in their field. Foonberg, based out of Beverly Hills, California said:

I knew nothing about criminal law and said as much to a California federal court judge who wanted to appoint me to represent a woman facing forgery charges. I was a business and tax attorney in court that day for a calendar call. The judge saw my name on a pleading and appointed me. The woman was about to plead guilty to 22 counts of forging signatures on Social Security checks. Her hearing was scheduled for 2 p.m. The judge told me to educate myself and if I needed more time, he could continue the case for a week. I introduced myself to the defendant. She told me that she was guilty, and I asked her why she had forged the checks. “Because he told me to” was her answer. The “he” turned out to be the woman’s husband, a Social Security recipient who was hospitalized in Texas. She handed me a letter her husband had written directing her to sign the checks and deposit them in their bank account. Relying on what I learned in bills and notes class, I told her that an authorized signature wasn’t forgery. At the 2 p.m. hearing I moved to vacate the woman’s plea, offering her husband’s letter as evidence. The government acquiesced and the case was dismissed. It was at that precise moment of dismissal that I realized being a lawyer was about helping people who needed help. And I felt that I had found my calling in life (Foonberg, 2011).

I found this statement to be very powerful, and enlightening to the fact that there will always be good people in this world who are willing to fight for those who have criminal cases against them. The criminal defense attorney field is an important field, and a field that is a staple in the American justice system. The field of criminal defense law will long be around and ever growing, which I cannot stress enough in this report. I recommend underclassmen to pursue this field if they are interested in it, as it is a great career.

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