

Trading Pine Trees for Palm Trees: Practicing Law in U.S. Territories

By Josh Rovelli

Around Thanksgiving of 2015, an attorney recruiting me to work for his firm made the most outlandish pitch I had ever heard.

He promised me a job where I would leave work every day at 4:00 p.m., and never work a weekend or holiday. In my off-time, I would drink from coconuts on world-class beaches, camp on one of the most remote islands in the United States, or fish in waters abundant with tuna and wahoo. I would wear shorts and flip-flops to work—even during court appearances. And, perhaps most importantly, he promised me an above-average salary for an attorney with my experience, and plenty of paid time off.

The only catch was that I would have to leave Arkansas behind, and spend two years in American Samoa. As you can imagine, I was skeptical of this too-good-to-be-true proposition. But my wife and I decided that if the job was even half as good as advertised, we would be remiss to walk away.

Almost a year later, I'm pleased to report that every outrageous promise was kept. I'm tanner than I've ever been, my blood pressure has fallen to a healthy level, and I spend my afternoons paddle boarding with sting rays.

If you're skeptical, I can't blame you. But if you look for yourself, you will find a hungry job market in the U.S. Territories that is yours for the taking.

The Pitch

For new graduates, it's no secret that the legal job market can be unforgiving. In the American Bar Association's most recent employment survey, only 62.4% of new graduates landed long-term, full-time work that requires a law degree. While the numbers are more promising in Arkansas, there are still many new graduates struggling to get their foot in the door. Even for those attorneys who have secured their first gig, job satisfaction can often be elusive. Those looking to expand their expertise, develop their courtroom skills, or strike the perfect work-life balance might be looking for new prospects. Practicing in a U.S. Territory may present the ideal opportunity for growth and change.



I can only speak to my experience over the past year, so this section will focus on life and the practice of law in American Samoa. However, attorneys practicing in other U.S. Territories have communicated similar experiences. For example, another Bowen graduate, Kendall Shortway, has had a comparable experience in the U.S. Virgin Islands. I also have colleagues in Saipan, Guam, and Palau who agree that practicing abroad is among the best professional decisions that they ever made.

Practicing law in American Samoa is much like practicing in small town Arkansas. The bar here is small, and everyone knows everyone. With a few exceptions, the local lawyers fight hard for

their clients, but are collegial and friendly in the right setting. The Territory's small population, roughly 60,000, makes it impractical to pursue a niche practice, and instead opens all local attorneys up to a more general practice. Over the past year, I have handled a handful of admiralty cases, a few personal injury matters, several unwieldy transactions, and plenty of routine litigation. As a young attorney, I am grateful to have been exposed to such a wide variety of cases.

American Samoa also poses unique legal challenges that attorneys in the continental United States will never encounter. For example, the High Court of American Samoa lacks the well-developed case law that state courts generally enjoy. Even simple questions of law are often unsettled, and this means that attorneys look to all 50 states for persuasive authority. Almost anything is fair game, which makes for creative and hard-fought lawyering.

But, let's be honest. If you're thinking about flying across the world to live on a tropical island, you're likely thinking more of the lifestyle than the courtroom. I should offer an important caveat: island life isn't for everyone. Nearly every U.S. Territory is economically depressed. In American Samoa, there is no shopping mall, no Starbucks, and no interstate. The average annual income here is around \$24,000.00 per household, and most are either employed at the local tuna canneries or with the American Samoa Government. Living here takes an adjustment. But for the adventurous and flexible, American Samoa can provide a once-in-a-lifetime experience.

The Los Angeles Times recently described American Samoa as “this weird, lost corner of America” where “the beach of your dreams awaits.” On American Samoa’s main island, Tutuila, you’ll find miles of lush jungle trails, which lead to scenic mountaintops, untouched volcanic beaches, or spring-fed waterfalls. No matter where you are, you aren’t far from a majestic reef where you might snorkel with a sea turtle, a spiny lobster, or a black tip reef shark. In the summer, you will feast on locally grown mangoes or avocados, and in the winter, you will watch humpback whales migrate through the bay. Nearly every business on island (including the law firms) closes at 4:00 p.m., and evenings are reserved for relaxation and family.

If you’re feeling adventurous, you could catch a ferry or ten-seat plane from Tutuila to nearby Ofu Island. Per Lonely Planet, Ofu “looks like a hallucination: imagine the whitest possible sand leading to the bluest possible water, all surrounded by intense green hillsides cut by bays.” This will be the loneliest, least disturbed stretch of beach you’ve ever seen. And it’s about 30 minutes away from your office.

For a young attorney, the benefits of this opportunity cannot be overstated. You will strengthen your resume, make a respectable amount of money, and refine your lawyering skills while basking in the sun on a tropical island.

The Places

The United States has 16 territories, but only five are inhabited: American Samoa, The Northern Mariana Islands, Guam, The U.S. Virgin Islands, and Puerto Rico. There are also a handful of “associated states” such as Palau and The Marshall Islands, which offer attorneys similar advantages to U.S. Territories. Each of these areas offer their own unique perks for attorneys to enjoy during their stay, but all feature mesmerizing beaches and other natural wonders.

In almost every U.S. Territory, there is a bar examination waiver for attorneys seeking to work in governmental practice. This means that Arkansas attorneys in good standing who are offered a job with an attorney general, legal aid, or a similar public interest practice will not be required to take another bar exam. If you

wish to enter private practice, however, every jurisdiction except for American Samoa requires some form of bar examination or attorney’s examination. Each jurisdiction’s licensing requirements are contained within their Supreme Court rules, and are easily accessible online.

The Jobs

Attorney jobs in U.S. Territories are plentiful. More attorneys go to U.S. Territories on a two-year contract, so law firms and attorneys general are almost always in need. However, open jobs might not always be easy to find. Attorneys general and private practitioners alike often have job vacancies, but advertise them locally rather than online.

In short, you likely will not find territorial attorney jobs online, but they do exist. Do not be afraid to pick up the phone and call around, or to send emails directly. During my job hunt, I had long and productive conversations with several private practitioners, and the Attorney General of Palau and the Commonwealth of the Northern Mariana Islands.

Most U.S. Territories have an Attorney General that is the jack-of-all-trades government lawyer. In American Samoa, the Attorney General is the immigration authority, the prosecutor, and the government advocate all rolled into one. Attorneys general offer a benefits package comparable to that offered to government lawyers in Arkansas.

The Commonwealth of the Northern Mariana Islands, for example, pays its attorneys roughly \$50,000.00 per year. Other benefits include round trip airfare to Saipan, the cost of shipping your household goods, and 26 days of paid vacation per year. The American Samoa Attorney General offers a similar package, but also throws in government subsidized housing which costs its attorneys only \$100.00 per month. Two-year contracts are standard, and they are almost always open to renewal if you aren’t ready to go home at the end of your term.



Of course, having a prosecutor’s background is helpful. But most deputy attorneys general are inexperienced lawyers coming almost directly from law school. This is an excellent opportunity for a bold new lawyer looking to bolster his or her resume with quality courtroom experience.

If government employment isn’t for you, each Territory also has a few mid-size firms that are always looking for new talent. Private practitioner salaries often outpace their government counterparts, but government lawyers enjoy more vacation days and other benefits. Private practice jobs typically require some degree of experience.

As stated in the preceding section, private practitioners in U.S. Territories tend to be general practitioners by necessity. In private practice, you will be exposed to an array of legal arenas, such as admiralty and maritime, transactional matters, and regulatory compliance. You will need to be well rounded to thrive in private practice, as your research, writing, and courtroom skills will be put to the test nearly every week.

Conclusion

If you’re looking to expand your professional experience, strike the perfect work-life balance, or just get your career started, the perfect opportunity awaits attorneys who are adaptable and adventurous. All you have to do is trade pine trees for palm trees, and join me in a U.S. Territory.

Josh Rovelli is the Senior Associate Attorney at RDA Law Firm in American Samoa.

