

Careering Ahead

By Jason Harkess, Victorian Bar

After one or two years of legal practice, it is not uncommon for a young lawyer to begin to tire of his or her first real law job. So if you make the decision to move on, where should you go and how easy is it to get there?

Doron Paluch, a manager at Hughes-Castell legal recruitment agency, says that the first and essential question is, "What do I want to do in my career/life next?" As simple as the question may seem, the answer is not always forthcoming. Paluch postulates a few other simple questions for the itchy-footed young lawyer, the answers to which might at least narrow the scope of the job search. Do I want different work? If so, what? Do I want to work with different people in a different culture? Do I want to work overseas? If so, where? Do I want to get out of law altogether? If so, to do what? Do I want more money?

"I want different work"

After 1 or 2 years, you may have found that corporate or commercial legal work is not your calling. Maybe getting into criminal or family law might be more personally rewarding? Or maybe you like the idea of being in-house counsel for a large blue-chip company? Paluch makes the following observations:

- Some prospective employers may regard your wanting a significant change from your current work type as indicative of indecisiveness. Others may be less superficial with their assessment. A criminal lawyer of two years standing might be regarded as having skills complimentary to a big commercial litigation practice. In any case, you will have to make the argument.
- In-house counsel roles at big companies are advertised from time to time. Increased responsibility, potentially shorter working hours and no more time sheets can be the ideal lifestyle for some. In-house roles, however, are the most sought after, when they are advertised, and the employer is usually looking for someone with experience in corporate/commercial law. Litigators are seldom in demand, except for companies which specialise in areas such as insurance.

"I want to work with different people"

You like your work but you are having difficulty with a number of people at your place of employment. So, the simple solution is to move to another firm, right? As Paluch notes, "the working ethos and culture of each and every legal practice is unique". However, bear in mind the following:

- Be aware of that old adage "out of the frying pan and into the fire". Shop around and don't be too quick to accept the first job offer you get, unless you are 100% confident that the legal environment is the right one for you.
- An interview with your prospective supervisor will not necessarily be particularly revealing as to how you would feel working there. If you can, speak with others who are currently working there or to former employees.

"I want to work overseas"

Apart from the professional advantage of acquiring experience in another jurisdiction, there are also the personal benefits of a lifestyle change and the ultimate bonus of overseas law firms offering a great deal more money.

Paluch notes that off-shore recruitment is not as bustling with activity as it was a few years ago. "Two years ago, there was so much demand that even young Australian lawyers with somewhat modest legal backgrounds were getting top-paying jobs in London and European firms", he says. "Nowadays, the number of jobs is dramatically less and the foreign firms are a lot more fussy with who they take on". He also makes the following points:

- Obtaining a visa that permits you to work full time in the legal profession in the relevant jurisdiction is a priority. Whilst the big overseas firms will often sponsor Australian lawyers, such sponsorship is no longer as forthcoming. Commercial, corporate finance and banking lawyers seem to have the easier ride in this respect.
- Having experience at an A-Firm in Australia

is, generally, a pre-requisite for being seriously considered for employment at a foreign firm. This is particularly so if you hope to secure a job before you actually move overseas.

- Australian commercial, corporate banking and finance lawyers can target the UK, European, Asian and even the US job markets. Commercial litigators can find it very difficult to find a job in a different jurisdiction and are also usually confined to the UK and some Asian jurisdictions.

"I want to get out of the law"

If you're sick of law, or perhaps just not sure anymore, it is not a bad idea to take a break. A degree in law is often regarded as a 'generic' professional degree. Having worked as a lawyer for a year or two, a complete change of direction is definitely something you can think about. But where to head exactly is really a matter for self-determination.

"I want more money"

If the only change you really want is more money, but staying within your current practice area, your options are probably better than most. As Paluch puts it, "the less change you make in your career direction and the more focused your specialty area of practice, then the more valuable you become in the market." A lawyer with two years intellectual property experience will find it easier to negotiate a higher salary for a position as a 3rd year intellectual property lawyer, than the same lawyer seeking to move into an equivalent role in mergers and acquisitions. The reality is that the 'diversifying' practitioner is often not regarded as the profitable practitioner. Remuneration is often set accordingly.

"I want to move around"

- The reputation of your current employer does matter. Whilst the analysis may seem primitive, firms are often labelled either "A", "B", or "C" (i.e. top-tier, mid-tier, and small firm) by human resources managers and recruitment agents. Two or more years of

experience at an A-firm will impress any prospective employer. Experience at a B-Firm or a C-Firm can be more restrictive, that is if you're looking to jump up to an A-Firm.

- Academic records do matter. A mediocre academic history will need to be explained. Conversely, a spectacular academic history might make your present C-Firm occupancy of little concern.
- The more years of concentrated and specialised experience you have makes for the better bargaining position. As the years go by, many of your peers will change direction, move jurisdiction or drop out of law altogether, and you will no longer be competing with them. In this respect, specialising early on and staying with that

specialisation will pay-off as you become a rare commodity. But you need to make sure you are comfortable with that specialisation, as it can be hard to change areas of law once you are pigeon-holed.

Conclusion

If you are thinking it's time to move on, the appropriate first move is probably to ask yourself the five simple questions raised above and then to get your CV updated. Naturally, Paluch then says that you should approach a legal recruitment agent to get the ball rolling. At the very least, the recruitment agent can help you ascertain your career direction and tidy up your CV. More importantly, recruitment agents can sometimes get you an interview

that you otherwise wouldn't get if you were to send your CV to the firm directly. There are some things, however, to remember about recruitment agents:

- They often operate on a commission basis, so be wary of what recruitment agents say about the job once you've got a job offer.
- Don't put all your eggs in one basket. Different recruitment agents have different jobs on their books.
- Commercial law firms make up most of recruitment companies client base. If your desire is to move into the field of criminal law or family law, approaching firms directly might be more productive than going through a recruitment agency. ■

Discussion Forum

“How does your law firm comply or fail to comply with the Young Lawyers’ ‘Thriving and Surviving Employment Guidelines’ promoting a better work/life balance?”

“Not staying back late is like shouting, while waving arms madly, I am not driven, interested, career-minded or dedicated to my firm.

My workplace is flexible in that we don't have to actually clock stamp ourselves in each day and you can spontaneously decide to disappear if there is nothing on. Partners however tend to forget their human like status and can be annoyed if you do not magically appear every time they click their fingers whether that be at 11am or 11pm.

At my firm I do not know any junior legal staff who have extra curricular evening activities which they regularly attend. Your life is consumed by the office and anything planned ahead of time must be able to be quickly shunted to another time if work decides at 4pm that it needs you to work late.”

Anonymous, Large commercial firm

“[My firm]’s workplace policies and practices fulfill the requirements of the Guidelines.

Certainly, as articulated clerks, we receive outstanding levels of training and professional development. We also have the benefit of knowing that once our articles year finishes, we are retained as first years.

I think there are misnomers in the wider market place that [my firm] is a sweat shop. Clearly,

hard work is valued but I have never experienced pressure to stay back after hours unless absolutely needed.”

Anonymous, Large commercial firm

[My firm] is in favour of ensuring that employees do not feel obliged to work past nominated working hours unless reasonably required.

Most employees work from 8.30am and generally go home around 6.00pm-6.30pm.

There will be very few employees who will be in the office after 7.00pm. However, this is not to say that we never work past 7.00pm – obviously when there are deadlines to be met or extra tasks to be completed then longer hours are expected.

By heading home at 6.00pm or even 6.30pm, employees are given time to spend with their family, engage in sport or other activities (cl 3.5 of Guidelines).

[My firm] encourages employees to attend seminars and courses which are aimed at continuing legal education, with its own continuing legal education program for articulated clerks and first/second year solicitors, which is run throughout the whole year...

[My firm] also allows employees to attend external seminars and courses which are useful for the employee's area of practice and

it also pays for attendance at such seminars (cl 7.5 and 7.7 of Guidelines).”

Anonymous, Medium commercial firm

“There appears to be a growing irony within bigger law firms. HR and the partners are happy to send their staff to CLE programs and professional development training. However, the partners themselves do not attend such courses.

The partners are managers often with no managerial competency. They are supposed to run a team and distribute work fairly and yet many have no interpersonal or delegation skills.

Undoubtedly most partners have brilliant minds, know the law and are great at strategising. However, it is time that they also gain competency in 'anger management', 'positive communication' and 'time management skills.’”

Anonymous, Large commercial firm

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