

Corporate practice in the not-for-profit sector:

a young lawyer's perspective



By **Helen Collins, Nevin Lenne & Gross***

Volunteering on a board or the management committee of a community organisation can be one of the most interesting and satisfying aspects of your legal career.

For a start, you will meet people from outside the legal community in which you normally work. Boards can be made up all types of people from all walks of life; teachers, accountants, students, farmers, park rangers, business owners and social workers to name a few.

You are also likely to find yourself 'working' in the most unusual places. I regularly find myself on a flying fox crossing the Macalister River in Gippsland to attend meetings of one organisation and for another, travelling over the High Plains.

Community organisations come in all sorts of shapes and sizes such as: sporting clubs, community legal centres, kindergartens, schools, telecommunications centres, and charities. Some run a shoe string budget (sometimes literally!) and others have million dollar budgets. They also come in several different legal structures including associations incorporated under the *Associations Incorporation Act 1981 (Vic)*, companies limited by guarantee under the *Corporations Law*, and co-operatives formed under the *Co-operatives Act 1996 (Vic)*.

The benefits of volunteering on a board for a young lawyer include the exposure to challenging legal issues that would not normally come across your desk. The legal issues that may arise include the perennial question of public liability and other insurance, fringe benefits tax,

planning issues, employment terms and conditions, communications law, trade practices, and charitable status. The legal work you will inevitably be drawn into is another form of corporate legal practice that differs from the normal in-house or private practice corporate lawyer.

As 'the lawyer' on the board, other board members will look to you for guidance on legal issues. Some issues that arise on a volunteer board will be completely out of your normal expertise. It is important to take difficult questions on notice and get back to the board after consulting with other lawyers who have specialist knowledge of the area of law in question. Never forget your limitations. Clarify the extent of your knowledge with other board members. Sometimes you will need to recommend that the board obtain independent legal advice.

Overall, I would recommend volunteering or allowing boards to 'rope you in' to assist them. You will probably learn more than you give, but you will certainly give value and enjoy yourself in the process. ■

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leave their jobs. Although the survey profiles business generally, its results are certainly applicable to corporate law firms. According to AIM director Graeme Burns, smaller organizations "show higher outcomes for job satisfaction, commitment, trust, loyalty and respect".⁴ Important factors in staff retention were flatter management structures, better communication and more staff input. Interestingly, remuneration was less important.

Tony Joyce, a partner at Mahonys, believes that retaining quality staff is a matter of finding the right fit. He argues that both employers and prospective employees should evaluate what they are looking for, and be aware of each other's expectations. Young lawyers may be attracted to the "big firms and bright lights" but find the demands unsustainable, while others may start with a smaller firm but find that they are more attracted to the complex transactions on offer at large firms.

The latter scenario is not an uncommon problem faced by smaller firms who may invest two to four years training a bright young lawyer, only to lose them to big firms who offer more in terms of salary packages and big name clients. It seems therefore that corporate firms are not only losing staff who are quitting the profession, but losing them to other firms with more attractive qualities, be they lifestyle or career related. With today's highly mobile workforce, this is to be expected, but Mr Joyce suggests a number of ways to mitigate losses. As well as cultural fit, he advocates older lawyers making an effort to mentor young lawyers, to encourage them in their learning, and show them that there is a future at the firm. Thirdly, he argues that law firms need to meet

somewhere in the middle: smaller firms need to offer packages attractive enough to retain promising young lawyers, while larger firms need to make sure that they do not place demands on junior employees that unfairly impact on their lifestyle.

Certainly, legal "urban myths" of untenable demands being made of lawyers at all levels are still doing the rounds. Staff with young children expected to attend all-night meetings. Partners coming into the office on weekends just to see who is there. Nevertheless, it seems that corporate firms are increasingly recognising the value of having well-rounded and contented employees working for them. As a corollary, opportunities are increasing for young lawyers to broaden their horizons through further study, travel and exchange, sporting and social involvement or spending time with family, without sacrificing their careers. Recruiters are encouraging lawyers to take up these opportunities, as the personal skills that such activities develop ultimately make them more marketable. However they caution that most firms value loyalty highly. It is therefore important to make a valuable contribution before requesting 'special treatment', and to view flexibility as a privilege, not a right. ■

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- 1 Cameron Cooper, 'Working with Gen Y', *Management Today*, June 2005
- 2 www.abs.gov.au/Ausstats/abs@.nsf/Lookup/F137BCEF980BE2CACA25699F0005D62D
- 3 www.eowa.gov.au
- 4 Aim National Salary Survey 2004, 'Employees like smaller companies', www.aimsurveys.com.au