

Flexibility Key For Women Rejoining Legal Ranks

By Shannon Henson

Law360, New York (October 19, 2009) -- An arduous path may await the increasing number of female attorneys looking to return to work after taking time off to care for family, but many will be able to use their flexibility on pay and hours as a way in the door, experts said.

Consultants, lawyers and others say that women — who are more likely to have left the industry than men — should tout their maturity, life skills and, most importantly, their flexibility when trying to win employment in this rocky job market. It isn't easy for lawyers to re-enter the work force because they are competing with thousands of attorneys who have been laid off in the recession.

"It's harder because the job market is much tighter, and people who are extraordinarily qualified have been laid off," said Lauren Wachtler, a partner with Mitchell Silberberg & Knupp LLP and chair of the New York Bar Association's Lawyers In Transition Committee. The laid-off attorneys "have the same qualifications and have been working."

Wachtler and others said women had typically re-entered the work force after their children went to school or after other household changes. But the recession has forced some to look into going back to work sooner than planned.

"In many cases, their husband has either lost his job or there is concern about his job or salary given the economic climate," said Deborah Epstein Henry, founder and president of Flex-Time Lawyers LLC.

Women looking to rejoin the profession face a number of hurdles, including explaining the employment gap on their resume and getting up to speed on changes and advances in their practice area or the legal industry.

Henry recommended that women try to account for the time gap in their resume by listing experience gained during that period, perhaps through volunteer work. An employer who gets a resume with an unexplained employment gap may just toss the resume aside, she cautioned.

"They can be in competition with lawyers who have been laid off, and those attorneys have more straightforward resumes while a re-entry candidate has to account for three, five or 10 years," Henry said. "Alternatively, re-entry candidates don't have to deal with the stigma of being laid off."

There is a traditional hierarchy at law firms, Henry said, and firm leaders often have a hard time figuring out where a re-entry attorney should be placed within the organization.

"I advise women to look at a setting and be really specific about where they think they will fit in," she said.

It can also be hard for re-entry attorneys to feel that they are up to speed on developments in their practice area, firm culture or technology. Cathy Fleming, a partner at Hodgson Russ LLP and a former president of the National Association of Women Lawyers, recommended that women stay current while out of the game.

"One thing I advise is that women don't drop out entirely when they take time off," Fleming said. "They should stay in touch with their contacts, keep a hand in the business. That makes it an easier transition to come back."

A few programs have popped up to ease the transition for re-entry attorneys, such as Pace Law School's New Directions program. The program, developed in collaboration with the Westchester New York Women's Bar Association, has three components — legal research and writing, career counseling, and

an externship.

New Directions program director Amy Gewirtz said she encouraged participants to think broadly about what kinds of opportunities they were willing to pursue. She and others also said that the ability to be flexible in other ways, such as when it comes to salary, may also give re-entry attorneys a leg up in the tough economy.

“It certainly does not mean they are worth any less,” Gewirtz said of her program participants, “but an eighth-year associate may leave a firm with a certain salary and be looking to make that salary. Someone from our program may be able to be more flexible.”

Henry encourages re-entry attorneys to market flexibility as an asset rather than a lifestyle accommodation. Many want to work on a flextime schedule, which can work well for a law firm that isn't sure of its staffing needs in the downturn.

“If a lawyer can say they are flexible about when they will work, that can be very attractive to an employer,” Henry said. “If a lawyer offers to telecommute, for example, that may be an asset for a firm that doesn't want to incur additional costs. Some of these attorneys don't need health benefits, which can be another bonus.”

Henry has advised re-entry attorneys to consider working for an employer for free for a limited time to alleviate concerns that she isn't the right fit or has been out of the workplace for too long.

“It reduces employer concerns and gives re-entry lawyers an opportunity to get their feet wet and build up confidence,” Henry said.

Law firms are starting to show more interest in following attorneys who leave the workplace, she said. Some have formalized policies to keep in touch with the attorneys for three years, even assigning them mentors.

“The idea is really to strengthen the alumni bond, but also if an attorney wants to come back after three years, they would ideally come back,” Henry said. “It is smart of firms because these attorneys are proven talent.”

Wachtler also said there was a growing understanding by employers that re-entry attorneys constitute a valuable talent pool. “These attorneys are experienced, mature and have life experience they can bring to a new job,” she said.

Re-entry attorneys often have determination and focus not seen in younger attorneys, Fleming said.

“When they are ready to come back, they are really ready to come back to work. They have developed life skills that we don't always see in young lawyers,” she said.