

Getting Back: The Path for Lawyers to Return to Practice

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According to the Center for Work-Life Policy, 42 percent of women lawyers take time off from practice, apart from maternity leave, and they stay out of the workforce for an average of three years.¹ This means that nearly half of women lawyers have a non-traditional career trajectory. In response to these figures and the alarming attrition rate (78 percent of associates leave their firms by the fifth year of practice)², legal employers have begun to focus more on their alumni pool to recruit back talent³ and specifically develop re-entry initiatives. There are efforts underway and strategies for bar associations, law schools and legal employers to respond to the re-entry demands but this article will focus on what re-entry lawyers can do to get back.⁴

Re-entry lawyers need to assess their experience, interests and skills and try to match them with the market demands. They also need to determine how important lifestyle concerns of flexibility, predictability, reduced hours and being off call will be in choosing an employer. But to really be successful in a job search, re-entry lawyers need to anticipate and resolve prospective employers' challenges to hiring them.

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Employers' first challenge is to actually find talented candidates to re-engage. Thus, re-entry lawyers need to research and seek out the employers who are hiring re-entry candidates or receptive to doing so. This requires candidates to network with former employers, within the bar association and within their professional and personal networks. The biggest networking luxury for re-entry lawyers is the ability to tell everyone they are looking for a job without jeopardizing a relationship with an existing employer. This requires re-entry lawyers, though, to overcome their confidence and fear of exposure and failure concerns. The exercise of talking to others about potential opportunities, going on informational interviews and applying (and getting rejected) from jobs, eliminates possibilities, narrows options and fine tunes the best positions for re-entry lawyers.

Second, employers often find re-entry lawyers' resumes to be mysterious and toss them aside because they cannot make sense of them. Re-entry lawyers need to remove the unexplained gaps, account for their time away from paid work, prioritize in their resumes the most relevant job experience to the job they are seeking and list their volunteer experience and transferable skills.

Third, law firms are particularly hierarchical and they often dismiss a candidate because they cannot assess where the candidate could fit into the lockstep. Thus, the onus is on the re-entry candidate to articulate where she would fit into the culture. This means that

candidates' cover letters should convey at what level they think they should return, their pay and schedule expectations, and the department they hope to join.

Fourth, employers may feel obliged to hire an occasional re-entry candidate to appear family-friendly or as a favor or accommodation. In turn, re-entry candidates need to submit a proposal, conveying to prospective employers why it is in their business interest to hire them. For those candidates seeking flexibility, they need to demonstrate not only their economic value but also how they will get the work done flexibly and how clients and colleagues will not be negatively impacted. They also need to recognize that they may have to start their job with less flexibility than they desire.

And, last, employers worry they are taking a risk on re-entry candidates because their skills may be rusty or they will not fit in with the corporate culture. Re-entry candidates can overcome this by offering to intern for a limited term so that both parties can assess each other on a trial basis. The internship allows the employer to ensure the candidate is the right fit, but also is a great way for the re-entry candidate to re-gain confidence, demonstrate talent, obtain experience, build her resume and develop potential references, all while ensuring the new venue is the right one to restart a career. •

¹ Sylvia Ann Hewlett, Carolyn Buck Luce, Peggy Shiller and Sandra Southwell, Center for Work-Life Policy, "The Hidden Brain Drain: Off-Ramps and On-Ramps in Women's Careers," (Cambridge Mass., Harvard Business Review), 2005 at 81 and 98, Exhibit L1.

² Paula A. Patton and Cynthia L. Spanhel, "Toward Effective Management of Associate Mobility. A Status Report on Attrition," (Overland Park, Kan., The NALP Foundation) 2005 at 21, Table 6.

³ Leigh Jones, "A Promising Talent Pool: Alumni," National Law Journal, Oct. 16, 2006.

⁴ For a further discussion of re-entry in the legal profession and what employers, bar associations, law schools and lawyers are and should be doing, see Deborah Epstein Henry, "Comeback Lawyers: A Look at Why Re-Entry is a Hot Work/Life Balance Topic," Diversity & the Bar (Jan./Feb. 2007) at <http://www.flextimelawyers.com/art.asp>. •

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