



Lawyers on the Move Overcome Obstacles to Relocation

[by Amanda Howe]

The American job market is a whirlwind of hiring, outsourcing, and downsizing, particularly in recent years, leaving many lawyers wondering whether it is the right time to attempt a lateral move.

The National Association for Legal Placement (NALP) reveals that lateral hiring was off 25% between 2001-2002, and this decrease was seen across all firm sizes. The number of entry-level hires also decreased during this period. This has left many lawyers disenchanted with the profession and worried about job security. Many now question whether making they should try to change jobs or stay put.

Whether coping with a layoff or seeking a position at a new firm, making the move as a lateral attorney has its challenges. Attorneys consider switching firms for a variety of reasons, whether it is billable-hour requirements, practice areas, not getting along with co-workers or partners, or a lack of firm environment compatibility.

An attorney who is thinking of changing firms or practice areas, especially when considering an out-of-state move, must first determine which skills and credentials are transferable and which ones have to be acquired. The following is a list of essential tips to bear in mind when considering this scenario.

1 Know the Market

It is a good idea to do some reconnaissance before taking the plunge into another jurisdiction. Issues to consider when relocating include salary differentials and hot practice areas. The American Bar Association maintains a list of state and local bar associations. Get in touch with the local bar association and find out more about the local legal market. Which practice areas are

in demand? Which ones are not? According to legal recruiter Lisa Orlandi, who works in Los Angeles, "Real estate is a hot practice area right now in Southern California. Depending upon where you choose to move to, different practice areas are more desirable than others."

Of course, most attorneys are aware of the pendulum that swings between the major distinction of litigation and corporate practice areas: when one area is booming, the other is stagnant, but particular practice areas are no different.

Litigators are almost always in demand in good and bad economies, but it is more difficult for litigators to relocate than other types of attorneys, in part due to the proliferation of litigators, experts say. The better the legal credentials, the easier it will be for a litigator to relocate.

Corporate attorneys often find it easier to relocate if the economy is strong. When the economy is failing, however, they have a difficult time finding work and may even be laid off, recruiting experts note.

Particularly transferable are attorneys who specialize in less common practice areas, such as patent prosecutors, especially those with electrical engineering, computer science, or physical or mechanical engineering backgrounds, experts note.

The timing of a lateral move is also critical. Junior associates are usually easier to place in law firms than more senior associates or

partners, who often are expected to have a book of business or other assets. At the same time, more experienced lawyers may be better able to move in-house to corporations or government posts.

In general, experts say, the best markets to relocate to are major cities where there is a large number of firms and the populations are transient, such as San Francisco, Los Angeles, New York, Washington, DC, Northern Virginia, Boston, Philadelphia, and Chicago. Some smaller markets such as Seattle, Arizona, and Phoenix also are amenable to relocating attorneys, legal placement experts note.

Another consideration is what impact relocation will have on your pocketbook. Salary.com provides pay ranges in particular geographic areas. Attorneys considering relocating also should consider their career goals. A lawyer on partner track faces the chance that changing states and law firms will create setbacks to achieving partner status. Many lawyers who make a lateral move usually have to make sacrifices. This includes starting with a new firm as a fourth-year associate, instead of a sixth-year associate, making the dream of becoming partner further out of reach. But if that means better job satisfaction, then it may be worth it.

2 Consider Taking the Bar

Many attorneys wonder whether they can begin a search without being licensed in the state to which they wish to move. Ms. Orlandi stated that corporate attorneys fare better



in terms of finding new positions without initially taking the bar for the state to which they are applying. On the other hand, it is crucial for a litigation career, she noted. Of course, in either case, sitting for the bar will definitely help. Ms. Orlandi also noted that attorneys can study and sit for the bar without their current employers becoming suspicious. "Attorneys do it all the time; you'd be surprised," she said.

Information on bar admission standards is available at state bar examiner websites. Many jurisdictions accept Multistate Bar Exam (MBE) scores that meet minimum standards, but only three jurisdictions—D.C., Minnesota, and North Dakota—admit an applicant on this score alone. If you are already licensed in one state and your MBE score meets the minimum criteria, you may still have to take a portion of the bar exam in your new jurisdiction. Check for reciprocity agreements between jurisdictions and whether or not you are eligible to be admitted on motion.

3 Calculate Costs

If you do not already have an employer who will be picking up all your relocation-related expenses, you will need to budget for bar exam and study-course fees, in addition to your moving and cost-of-living expenses. Even if you have been practicing for a while, a bar exam prep course is not a bad idea. You may also need to check on the cost of professional liability insurance in your new jurisdiction because it could differ from your current policy cost.

"Don't expect firms to fly you out for the first interview," warned Ms. Orlandi. While they usually compensate attorneys for a callback or final interview, first interviews must be added to the list of expenses.

4 Long-Distance Interviewing

Out-of-state candidates always face more challenges to being hired than their local competitors. One of the most difficult hurdles to overcome is the question, "So why do you want to move here?" Matt Dow, Texas hiring partner for Jackson Walker LLP, said that the first thing he looks for when interviewing long-distance candidates is local connections. "A good example is an attorney I hired from Connecticut for our Austin office. His wife needed to move to Texas for work-related reasons, and he was able to keep many of his Connecticut clients because they didn't care where he worked as long as he got the work done," said Mr. Dow.

A remote candidate is at an additional disadvantage because the interviewing process is potentially more costly, and, if hired, a remote candidate presents the employer with additional expenses, including relocation costs, licensing fees, and the possibility that the candidate will not pass the bar on the first try. Mr. Dow said long-distance applicants who invest the time and money in getting bar licensed before approaching hiring partners will enhance their chances of attracting potential employers.

5 Moving Day

So you have done your homework and have applied to take the bar exam in your new jurisdiction. Before pulling up stakes and hitting the road, be sure to include a few professional housekeeping items on your to-do list. If you are practicing at a firm and your name is on the letterhead, make arrangements to have it removed before you go. You do not want any potential liability issues popping up after you are long gone.

Discuss with your managing partner how he or she wants to handle notifying clients of your departure. Mr. Dow said departures at his firm are handled on case-by-case bases

and depend largely on the attorney's reason for leaving. "If an attorney is leaving the firm because he or she needs to move for family reasons, then generally we leave the door open for that person to come back. If the attorney is taking clients from the firm, then it becomes a business decision," said Mr. Dow. He advises lawyers to discuss the departure with the managing partner and decide how best to notify clients and former clients of your departure.

If you are a member in any local bar associations, notify them, along with your state bar association, of your impending move. With a little organization and effort, a legal career can be just as portable as other professions.