



ATTORNEY SEARCH

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Avoiding the "L" Word: Layoff

As I write this, law firm layoffs are at unprecedented numbers. From where I sat two years ago, the current unemployment levels for talented, highly educated attorneys seemed inconceivable. How did we get to this current state? The answer isn't as simple as one might believe. We can't entirely blame large firm associate raises, although they certainly have compounded matters. My law firm clients tell us that in many ways their hands have been forced into layoffs because their clients are just not paying their bills. It's not that they don't have the work; the money isn't coming in, and unfortunately, decisions have to be made.

So, the question becomes, **what can you do now as an associate to minimize your chances of being laid off?**

Here are some tips that just might save your job as an associate in the coming months.

Bolster your hours.

To begin with, do what you can to increase your billings. This is obvious, but I can't tell you how many associates I talk to who are not doing all they can to increase their personal billings at the firm. And by and large, the associates whom I talk to who have been laid off tell me that the biggest reason they were let go was due to their hours, or lack thereof, in the last year or so.

If you are in a situation where you are not being utilized to your fullest potential, it is time to do what you can to make yourself indispensable. Begin to explore the possibility of conducting projects for other partners. Volunteer for document review or due diligence projects. If the sections that are busiest at your firm are bankruptcy and litigation, then volunteer to assist in bankruptcy and litigation (even if you despise litigation).

Engage in pro bono work that your firm will find meaningful to your progression as an attorney.

Law firms love to advertise their commitment to pro bono work. Rather than sit in your office and wait for your next project, find out how you can become involved in this charitable endeavor. It's a great way to work with other partners at your firm locally and nationally, and the more partners you have in your camp when layoff decisions are made, the better.

Offer to change your practice area.

If you are a corporate or real estate associate and work has dried up in these practices at your firm, think about how your particular slate of experience could be valuable to another practice area. Real estate and corporate associates can often easily adapt to restructuring practices, for example. Additionally, a transactional real estate candidate might be particularly valuable to a real estate and construction litigation practice, since they will have a good understanding of the contractual elements at play.

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However, you will have to be somewhat careful on a political level if you decide to employ the above tactic. You should let the partner(s) you closely work for know that you are not changing your practice area because you don't enjoy the work (or working for them), but you want to be as indispensable as possible to the firm.

Offer to work in another office or volunteer for a secondment.

If your firm has a hard-to-fill corporate opening in Milwaukee, then volunteer to work in that office. The key to avoiding a layoff is making yourself indispensable, showing a good attitude, and making yourself a team player. Offering to assist the firm despite the location can go a long way to showing your devotion and loyalty to the firm.

I recently talked with a litigation candidate who was hired to work at a major firm on a particular Fortune 500 company's litigation matters. Within four months of this candidate's hiring, this major client filed for bankruptcy. When the firm came to tell him that his job was no longer viable, he immediately asked if he could transfer to another section or another office. When I last talked to him, he was interviewing in another office of the firm for a completely unrelated practice area. I applaud his willingness to fight for his employment at his firm. Undoubtedly, the firm was impressed as well.

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You also might consider volunteering for a secondment. A secondment is a loan by a law firm of an employee to work in-house for a client at a fixed or reduced rate. Thus, the firm has income coming in for your work and they are also significantly benefiting a law firm client (and their relationship with the client). It's a win-win situation for the firm. And also a nice resume boost for you.

Arrive early, stay late.

When I was an associate, I preferred to come in at 8:30 a.m. or 9 a.m. and stay later to make up for my late arrival. In this economy, personal preferences should be a thing of the past. Arrive at work early and stay late. If a project comes your way, do everything possible to please your superiors and that means working late and on weekends. Your attitude and diligence may be rewarded when it comes time to make decisions regarding layoffs.

Watch the attire.

Now is the time to make sure you are as presentable as possible. If your work clothes bordered on casual or risqué previously, make sure those items of clothing remain safely secured in the back of your closet. Think traditional, well-tailored items of clothing.

Watch your mouth.

What I mean to say is that your professionalism at the firm is now paramount. Be polite to coworkers, staffers, and superiors. Keep a smile on your face and be pleasant to everyone. Avoid the office gossip.

I have a family member who, despite working in the ever-changing telecom field, is never in the first, second, or third round of layoffs at his various places of employment over the years. In fact, I can't think of a single occasion where he has been laid off. He is a hard worker, of course. But also, time and time again, his superiors tell him that he is easy to work with and is highly valued because he is kind, pleasant, and does not criticize others.

Take ownership and an active interest in your work.

Don't just do your assignment, turn it in, and assume your role is complete. Ask partners how you can continue to assist in the case. And make sure your work product is at its very best.

Begin to develop business or show an interest in doing so.

Most associates are bewildered by the idea of business development. And it's no wonder. Business development is not taught in law schools, and associates are rarely involved or present in law firm client pitches.

So, consider tapping into your personal network. Take a contact at a company to lunch, keep it low pressure, and tell the contact you'd love to handle their legal work at some point. Then tell the partners at your firm about your client-development activities.

Also, consider joining various bar groups to continue networking. Look into becoming a specialist in a certain field. Board-certified attorneys are rarely the first to be on the chopping block because they have demonstrated that they are exceptionally hardworking. Plus, firms can tout their board-certified attorneys in client pitches.

A final note.

If you are laid off, I can tell you that the associate who was conscientious, hardworking, and doing all they could to keep their job will ultimately get better recommendations from references. It pays to remain diligent until your last day in the office. I recently worked with a candidate who was laid-off and his superiors were so impressed with his good attitude after the lay-off that they made special endeavors to secure his employment elsewhere through their contacts. He continued to volunteer for projects, made sure his work product was flawless, and continued to follow-up on his existing projects. Professionalism always pays off in the end.