

Why Lateralizing as an Attorney Makes Sense

Summary: *From an associate's point of view, what strategy is most likely to optimize a legal career in today's market? Find out in this article.*

From all indications, **making a lateral move** is the hottest ticket in town these days for associates looking for a shortcut to the top.

Lateralizing, driven by the war for legal talent, has become an efficient and accepted means of escalating earnings and parlaying experience into valued expertise, not to mention a viable means of erasing past errors and indiscretions from the conscious memory of colleagues and supervisors.

In fact, serial lateralizing - now a pandemic phenomenon - belies a legendary myth about law careers: that stars stay and losers leave. Today, more than ever, stars are on the move. Their mobility suggests that changing jobs is both an opportunity and obligation as they stake a claim for long-term professional development and career agility.

The lateral phenomenon is actually neither new nor surprising. Private-practice lawyers have always made job changes, moving in and out of prestigious positions with the U.S. Department of Justice or other government agencies, **taking positions as in-house counsel** for revered clients, and pursuing sought-after terms as elected officials. But for the most part, those were diversions that concluded with a heralded return to the firm that championed their temporary hiatus.

But current data reveals that lateral hiring is outpacing entry-level hiring.

Despite the pleas of those who yearn for the way things used to be, an active lateral market is probably here to stay. Even when the economic bubble bursts and the legal market comes tumbling down, there is little reason to believe that **lawyer careers** will ever return to the models of yesteryear, when young attorneys gave complete loyalty to their first employers, endured their lot as associates, and for all of their devotion, earned job security for life.

The traditions of loyalty and job security in the private practice world have been set aside and now function as the primary catalysts for lateral movement. The fantasy of associate job security was revealed for what it was several years ago with a recession that came on the heels of huge associate pay raises (in late 2000 through 2002).

FUNGIBLE COST CENTERS

Associates got pink slips because in the end, they were a "fungible cost center," no matter that they may have both worked hard and kissed up. Today, associates are a commodity susceptible to downsizing and rightsizing, and the prospect of **making partner** is still a longshot, given the widely quoted figure of a "20 percent chance" in law firms nationwide.

The lessons learned are now legendary. Loyalty has been repealed from the associate protocol book. It has been replaced with a new expectation - one that establishes associates, especially the most talented ones, as free agents in a market hungry for top talent.

FROM 'PETER' TO 'PAUL'

Some suggest that what we are witnessing is a replacement of the "Peter Principle" (people rise through the ranks until they reach their level of incompetency) by the "Paul Principle" (people rise through an

organization until their work there stops being rewarding. Then they leave.)

The latter philosophy seems to align with the perspective that is attributed to GenerationX workers, who are adamant in the belief that a career is not linear, and more importantly, a job isn't your life. Rather, careers are webs with intersecting opportunities made possible by the deliberate acquisition of highly valued skills. And life is what you do to give meaning to your work.

The new view suggests that job security is equated with marketable skills and the ability to manage career transitions. Thus the age-old protocol of life-long loyalty has been redefined to suggest that lawyers are obligated to work hard and dedicate effort to an employer only as long as they choose to work for that employer.

Lateral movement for career transcendence sounds too good to be true, doesn't it? In some respects, it is too good to be true - and associates teetering on the brink of a decision are wise to consider the shades of green in the grass they are eyeing on the other side of the fence. While there may be compelling reasons for job changes related to practice interests and work-life balance, associates whose heads are turned by the allure of higher compensation may be making short-term choices that have long-term consequences. Seasoned veterans note that the old "last hired, first fired" adage could reverberate in the legal profession just as it does elsewhere.

Still, the lateral phenomenon is a sea change in the legal profession, and the impact of lateral movement on private practice is profound. Law [firm culture](#), previously deeply embedded and ceremoniously passed from one generation of lawyers to the next, is in the cross-hairs of the lateral phenomenon as firms note that they are experiencing tremendous internal churning. More than a few bemoan a threadbare culture and they are asking, like adolescents going through puberty, "Who are we?"

Moreover, mentoring and training, both of which typically engage partners in coaching and nurturing associates, are now perceived to be somewhat like parasites eating away at the production of [the billable hour](#), given the lack of long-term associate loyalty. The pressures to bill are enormous and the incentive to mentor and train mobile associates often minimal. Investing in associates who might carry the mantle of the firm in the future (but who are not committed to do so) is far less certain to pay dividends.

Still, the question stands: Does **changing jobs** optimize lawyers' careers?

Myth or truth?

Some young lawyers who have augmented their salaries by as much as one-third with a job change will point to their bottom lines as evidence of the truth of the statement. Others will point to exciting practice opportunities and autonomy from a job change as evidence of how their move was a good decision at the right time in their careers.

But only time and targeted research will offer the empirical data to support or refute either view. Surely some lawyers find the greener pastures they have been [looking for in a job change](#). And just as certainly, others find that they will need to keep looking and, thus, keep moving. In the final analysis, the career decisions - mobility or stability - of a majority of lawyers over time will reveal the truth. As one observer noted, "Those who find the practice, priorities, colleagues, and work-life balance that align with theirs are those whose careers are truly optimized."

Conclusions

Million-dollar quiz show questions aside, see if you can answer this query: [From an associate's point of view, what strategy is most likely to optimize a legal career in today's market?](#)

- a) working like a dog
- b) kissing up to the partners
- c) changing employers
- d) all of the above.

The answer, as documented by the actions of today's associates - and notwithstanding the probable influences of working like a dog and kissing up - is "c," changing employers.