

Talented Diverse Litigator Makes the Switch from Criminal Law to Civil Litigation

Law firms tend not to hire attorneys who are trying to make practice area changes. This is because firms like to hire attorneys who are experts in specific areas of law, and who demonstrate consistency in their personal and professional lives. But the story of this talented candidate shows that there are always exceptions to the rule! With BCG's help, he was able to transition from a career as a criminal prosecutor to a new start as a civil litigator.

He came to us at a crossroads, as most attorneys do. Always quick on his feet and instinctively drawn to the courtroom, after he graduated from law school he had joined the district attorney's office in a major metropolitan area. [He spent several years there - not only prosecuting cases and doing trial work](#) - but also working on appeals in the appellate division. He had even worked on cases of first impression and in the high court of the state. The work was stimulating and important, but after several years in the trenches he decided that a career in civil litigation might be a better fit for the long-term.

He "bridged" the gap for a year by clerking for a federal magistrate judge, as magistrate judges handle both criminal and civil matters. Interestingly, magistrate judges handle criminal matters like search warrants, arrest warrants, bail hearings and preliminary hearings. On the civil side, magistrate judges also handle discovery and pre-trial matters, write reports and recommendations about dispositive matters, and sometimes even preside over jury and bench trials. When his clerkship ended, this candidate contacted BCG for help in taking the next step into the civil arena.

I connected with this candidate immediately. I liked his energy, intellectual curiosity, and strong work ethic. I liked that he had followed his heart and served the public. I liked that he was brave enough to do trials but also stay at the top of his game in legal research and writing by taking on the toughest appeals and burning the midnight oil to leave no cite unchecked. I liked that he had gone to an HBCU and participated in BLSA and other beneficial organizations while at his Top-10 law school. He had also interned for a congressman and did additional legislative work for a worthy cause. He had multiple references from all of his jobs and even law school professors ready to go, which is also very helpful in lending credibility to a candidate. This was someone I could get behind, even though I knew what he was trying to do was challenging!

Making a legal placement is a team effort. My part was to help this candidate think broadly and provide him with as many possibilities as I could, as I did not know what would eventually be the match. This meant I had to research possible firms and opportunities on a weekly basis and send them to the candidate. I also needed to help firms understand that many of the skills he cultivated in the DA's office and clerkship were transferable to a civil litigation context. For example, this includes research and writing, attention to detail, understanding the rules of evidence, and, as a law clerk, seeing various civil matters like discovery disputes and motion practice.

The candidate's part was to stay motivated, optimistic and open-minded, approve the firms I sent him, and be as responsive as possible to the process. He definitely did his part. He stayed open minded when I suggested different markets where I thought he could be placed and he always immediately reviewed the firms I sent him. He approved almost all of the firms and he did so quickly. One of the problems that can derail a job search is if the candidate gets discouraged and throws in the towel because something does not work out right away. But that did not happen with this candidate. He stayed focused and excited throughout the process.

We each came through on our team effort. After just a few months he landed a position working on class

action cases. It was a great fit and tapped into his strengths of research and writing, his desire to use his law degree in a socially impactful manner, and his goal of one day making his opening and closing statements to juries sitting in civil courtrooms. The lessons from this placement is that you can make the switch from criminal to civil law, so long as you can show a solid track record of achievement, make a convincing argument as to how your skill set is transferable, and be open to a variety of opportunities and markets to make the next step.