

November 21, 2014

Eyeing a career move? Failure is an option

On the Job



By Nancy Mackevich Glazer

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Late in "Apollo 13," as left-behind astronaut Ken Mattingly (Gary Sinise) and controller John Aaron (Loren Dean) work to find a way to bring their colleagues back to Earth safely, they tensely debate their options and available resources.

Mattingly: "Well, if the chutes don't open, what's the point?"

Aaron: "Ken, you're telling me what you need, and I'm telling you what we have to work with at this point."

Mattingly: "I'm not making this stuff up."

With Thanksgiving approaching, this is a great time to step back and reflect. It's also a good time to address a question many attorneys regularly ask me: Whether it's possible (and how) to transition their practices from one area to another.

The answer is, "Yes, it's doable." Like everything in life, the answer also depends on the person doing the asking.

"David," for example, defends the medical industry in personal-injury and product-liability litigation. He called me recently, describing how he feels "stuck" in this practice area and that he doesn't enjoy it.

David is a natural-born litigator, but he would be happier practicing commercial litigation. He graduated from law school six years ago, right when the economy collapsed.

Like other stellar graduates at the time, David accepted a position that wasn't his first choice. Six years later, he wants to know if he is pigeonholed in personal injury and product liability forever.

"Melanie," meanwhile, also is "stuck" in her career. She works in financial compliance, a practice area she doesn't particularly like. She is hoping to gain some practical experience in real estate law and build a practice in that area.

Two different approaches

When David originally accepted his current position, secretly wanting to litigate commercial matters instead, he thought there would be some opportunities to practice commercial law. There weren't.

Despite his attempts to grow his commercial practice over the years, for a variety of reasons, it wasn't successful. Nine months ago, David decided definitively that he needed a career change.

After six months of sending out resumes for commercial litigation positions, he still had no real prospective opportunities. Why? Did potential employers immediately recycle his resume because he wasn't litigating business matters?

I explained to David that the post-2008 rules of supply and demand still apply in 2014. If the situation was reversed and the supply of commercial litigators was low, commercial firms would grab David fairly quickly and help him make any transition.

In that scenario, David's enthusiasm to practice corporate litigation, too, would help trump his lack of directly related experience.

Making himself more marketable to prospective employers in today's market, I explained, requires effort on his part.

I advised him that it would be worth his time to immerse himself in commercial law and come up to speed on the hottest trends. What keeps commercial clients up at night?

Address those issues, and you will be making yourself valuable. Simply stated, it's clients' needs and interests that drive law firms' hiring decisions. If David could add value to a firm, perhaps by helping service commercial clients in a way that a law firm presently cannot, he may strike a chord and land himself a new position.

I asked David how he felt about talking with his own firm's partners about strategically expanding his practice there. This would mean following a business plan, not just making attempts generally to grow his practice. Maybe they should know that while he "enjoys" his work, this new area is fascinating, too?

They may be impressed that he did his legwork and is motivated to attract new clients to the firm. With their permission, perhaps he could start a blog and attend a conference or two. I suggested that he should try to present at a future conference, once people have started to know him.

In probably less than a year's time, I surmised, David could be considered a thought leader in a relevant, niche area. Clients would be calling him for help — hoping to start sleeping again at night.

David heard me. He admitted he was overwhelmed by all of the energy these efforts would take. He was right. He had to want it and work for it.

He relayed finally that he didn't want to work this hard. While he listened and considered my thoughts, he ultimately dismissed these ideas. Being stuck at a crossroads was easier for David than rolling up his sleeves.

Melanie approached a career transition from financial compliance to real estate quite differently. Also tapped from her existing practice, Melanie wished she was more engaged. She was very excited about real estate and the continuing demand for real estate attorneys.

Deciding on her own to take the bull by the horns, Melanie had been using her off-work hours to immerse herself in all aspects of the real estate market.

Her weekends were more than half-full. Instead of relaxing or shopping, she spent her limited time off devouring real estate texts, reading business journals and taking real estate boot camp courses.

Voraciously, Melanie was learning relevant developments in her chosen field. She needed no coaxing to regularly indoctrinate herself in the trends and issues relevant in property law in 2014.

While Melanie has very little practical real estate experiences to showcase on her resume, I advised her to make a list of the all the real estate courses she's mastered and the pressing real estate issues she's contemplated.

Her enthusiasm alone gives prospective employers an indication of her passion and prospects for success. While not dispositive, attitude can play a major factor in whether others will believe in you. I know Melanie will land where she ultimately wants to be.

I talk with attorneys who hold both half-empty and fuller-than-half glasses every day. Some put in extraordinary effort, at times filling their glasses with great sacrifice. Others let their drinks run dry because they don't want to get up from the couch.

You may understand David, and Melanie may exhaust you. While their vintages differ, their perspectives illuminate.