

# 406 Making Your Experience Count in a New Position

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## Faculty Biographies

### **J. Richard Devlin**

J. Richard Devlin is executive vice president, general counsel, and external affairs for Sprint with responsibility for legal, state and federal regulatory and government relations, and corporate security functions. In this position, he oversees the activities of some 1000 employees, including over 120 lawyers. He also serves on the company's executive management team.

Prior to this position, Mr. Devlin was vice president and general counsel—telephone. His responsibilities included providing legal and regulatory support for Sprint's local telephone operations. Mr. Devlin's major areas of personal emphasis include regulation, mergers and acquisitions, intellectual property, litigation, corporate ethics and compliance, corporate governance, and legislative affairs. Prior to joining Sprint, he held a variety of management and legal positions with AT&T.

Mr. Devlin is a member of the New York and New Jersey State Bars. He is also active on several ABA committees. He is a former director of TransFinancial Holdings, Inc. and served on numerous nonprofit boards.

Mr. Devlin holds a bachelor's degree in industrial engineering from New Jersey Institute of Technology and a law degree from Fordham University School of Law.

### **Keith H. Earley**

Keith H. Earley is vice president—employment practices in Freddie Mac's human resources division. In this capacity Mr. Earley is responsible for developing and implementing Freddie Mac's diversity initiative and he has oversight responsibility for employee relations matters nationwide. He assumed this position following 17 years of service in Freddie Mac's legal division. As an attorney, his responsibilities covered a broad range of corporate activities including procurement and complex transactional matters, leasing and commercial real estate, employment and employee benefits, and intellectual property matters. In addition to these responsibilities, Mr. Earley functioned as interim vice president of the corporate affairs department in the legal division handling corporate governance functions and division wide administrative matters.

Prior to Freddie Mac, Mr. Earley was associated with the Washington, DC firm, Boasberg, Klores, Feldesman and Tucker, where his practice concentrated on corporate and commercial transactional matters. Prior to that he was in-house counsel to Delta Enterprises, a diversified manufacturing and venture capital firm located in Greenville, Mississippi.

Mr. Earley has served as secretary and chair of the Membership Committee of the Minority In-house Counsel Group, an affiliate organization of the ABA's Commission on Opportunities for Minorities in the Profession. He is a board member of the Northern Virginia Mediation Service and holds memberships with the Society for Human Resource Management and the Conference Board's Diversity Council.

Mr. Earley received his BA at Cornell University and is a graduate of Rutgers University Law School. He also has a Masters of Science from American University.

### **Barbara Ann Sellinger**

Barbara Ann Sellinger is chief employment and litigation counsel for American Standard, Inc. in Piscataway, New Jersey.

She was previously a partner with Epstein Becker & Green, P.C. and the chief labor and litigation counsel for Nabisco, Inc.

She served on ACCA's board of directors and ACCA's New Jersey Chapter board of directors. She served as president of ACCA's New Jersey Chapter and chair of ACCA's Labor and Employment Law Committee. She also serves on the Advisory Board of New York University School of Law, Center for Labor and Employment Law. She was appointed to the New Jersey Supreme Court Joint Criminal Practice/Civil Practice Committee on R.P.C. 4.2, and to the Atlantic Legal Foundation Advisory Council. Previously, she was a trustee of the New Jersey State Bar Association and the president of that Association's Young Lawyers Division. She formed the ABA, Young Lawyers Division, Corporate Counsel Committee. She is a member of the board of editors of *The Metropolitan Corporate Counsel* and previously served as a member of the board of editors of *The Corporate Counselor*. She is also a member of the ABA and the New Jersey Bar Association.

Ms. Sellinger graduated *magna cum laude* and Phi Beta Kappa from Syracuse University, and she completed her MPA at the Maxwell School of Citizenship and Public Affairs. She received her law degree from Washington College of Law, American University.

# Career Management: It's up to You

## June 2001 ACCA Docket

By Daniel J. Ryan

**You are responsible for your own career. Nobody is looking out for you. You alone steer your career along its path.**

Not long ago, the expected career path for in-house counsel was a straight thoroughfare. It was reasonable to anticipate that, as long as you performed your duties as corporate counsel competently and diligently, you could look forward to receiving a gold watch upon reaching retirement age from the same corporate employer that had hired you originally. Loyalty and longevity were the hallmarks of a successful career.

Times have changed, and the expectations of both corporate counsel and corporate employers have changed. As a corporate counsel in today's workforce, you must accept responsibility for managing your own career. Corporations hoping to recruit and retain the best law department possible in today's workforce can no longer rely on loyalty as the key to a retention strategy.

Serving as corporate counsel in today's environment requires a new skill set. Your exit strategy is no longer the shortest route to a door in the event of a fire alarm. Even the most generous and supportive employer may be acquired by a vastly different entity, so you must consider your own survival and strategies for handling change. These considerations must also be taken into account in negotiating and defining the employment relationship.

### **A LITTLE BIT OF HISTORY**

A few readers may remember the good old days. Corporate law departments lured great attorneys through the promise of better hours, no time sheets or client development, and, yes, job stability. The expectation was that the employment relationship was permanent.

Of course, despite this expectation, corporate counsel continued to serve, for the most part, as at-will employees. Some corporate counsel left their original jobs voluntarily for better positions, and some left involuntarily for performance reasons. For the most part, though, loyalty was a two-way street.

During the late 1980s, corporate cut backs, down-sizings and "right-sizings" shook up the entire workforce. The layoffs hit not only the line workers, but also management positions, as well. Corporate mergers meant that redundant positions could and would be eliminated. Law departments found themselves targeted for reduction or elimination.

Since that time, the forces of change have not abated. Outside law firms stand ready to take on work currently done by law departments. Mergers continue to threaten

departments. Changes in management philosophy can alter the scope and status of even the best run and most efficient law departments.

These changes have brought about adjustments in the attitudes of many corporate counsel. The company person has become a free agent. Today's workers do not equate a successful career with longevity in a particular position or with a particular employer.

Among the key issues that today's workers look at in assessing career satisfaction are balance, career development, and the need for growth opportunities. Stability and longevity, while laudable, no longer rank at the pinnacle of career desires.

In the Emerging Legal Workforce study undertaken by the Harris Interactive polling organization, commissioned by Spherion Legal Group, attorneys voiced strong concerns about the lack of balance in their lives, and nearly half reported that the balance between work and home lives has worsened over the past five years. If given the choice, legal professionals were much more likely than the general workforce to choose a reduction in work hours or a flexible schedule over an increased salary.

Not surprisingly, 79 percent of attorneys in the survey felt that law school did not adequately prepare one to practice law, and, as a result, 77 percent of attorneys felt that their employer was responsible for providing them additional training. Not surprisingly, therefore, the provision of additional training opportunities is a key facet of many retention programs.

Perhaps the most telling statistics demonstrating the changed attitude toward loyalty and longevity with an employer are the facts that 56 percent of legal professionals surveyed felt that they would have better growth potential if they left their current employer and that only 38 percent felt that moving around would be harmful to their long-term career goals.

In short, both employers and employees have changed. Not surprisingly, the employment relationship has shifted, as well. It has lost the elements of stability and permanence. It has lost the promise of loyalty.

At the same time, however, it has gained a mutuality. Corporations now know that a steady paycheck is not enough to motivate and retain today's corporate counsel and that corporations must work to retain them. Similarly, today's in-house counsel know that merely providing a solid day's work for a solid day's pay is not a path to a rewarding and stable career. If yesterday's corporate counsel relationship was till death do us part, today's relationship requires a renewal of the vows on a regular basis.

### **GETTING HIRED: NEXT TIME, DEFINE THE RELATIONSHIP AT THE OUTSET**

You already have a job, so the advice in this section of this article may be too late for you in your current position, but it's certainly something to consider in general and for your next position in particular.

## Written Employment Contracts

You are a sophisticated attorney, and your employer is a well-advised business entity. So do you have a written employment contract?

Many do not. The reasons for this uncharacteristic lack of documentation vary from oversight to a desire on behalf of the employer to maintain the advantage of employment at will.

Given that the times are uncertain and that an employment contract can be written that retains flexibility for the employer while providing clarity for both the employer and the employee, the better practice is to provide a written agreement for both sides. Would you advise your corporation to rely on oral understandings for other transactions of similar import? Would you advise your little sister to rely on an oral understanding for her livelihood?

The case for written contracts is bolstered by the fact that most in-house counsel employment relationships are even more complex than those of other management level positions. Some of the law-specific matters include the following:

- \* Who will pay (and how much) for your mandatory continuing legal education, if any, and will the corporation compensate you for time spent on such matters?
- \* Who will pay your bar dues?
- \* How will the corporation handle your appointed cases in those jurisdictions in which attorneys are subject to appointments in juvenile, criminal, or other cases? Will the corporation compensate you for the time that you must spend on such cases? Will the corporation provide malpractice insurance for you in those instances?
- \* How will the corporation handle the time that you spend on pro-bono obligations, whether mandatory or otherwise?
- \* Will the corporation pay for your bar review courses and give you time to prepare for and take the bar exam, if passing another bar exam and being admitted to practice are necessary for attorneys to provide legal services in a given state?

## Severance Packages

Beyond the legally related issues, though, are the more general issues relevant to any management level employee. Of particular concern in these days of uncertainty are provisions related to severance packages.

One of the subtle effects of the changing nature of the employment relationship is the fact that traditional severance packages have become less generous than they seemed when devised. For example, many contracts provide for one week of severance pay for every year of service to the organization. In a world in which decades of service was the norm, this provision provided far more protection than in today's world, where even five years of service may be exceptional.

Many savvy employees are negotiating severance packages that are not keyed to years of service, but instead provide a flat amount of severance pay. Whether that amount is three

months, six months, or a year depends on the level of the position and the circumstances of the engagement. Concerns would include, for example, whether the candidate is leaving a great position and relocating cross-country. In any event, it is wise to reach a rational agreement at the start of the relationship. And get it in writing because you may not be the only one leaving, especially if the company changes hands.

### **Noncompete Agreements**

An additional area of distinction between the employment contracts of in-house counsel and other management level employees arises in the area of noncompete agreements. Under Rule 5.6 of the Rules of Professional Conduct, a "lawyer shall not participate in offering or making . . . a partnership or employment agreement that restricts the rights of a lawyer to practice after termination of the relationship, except an agreement concerning benefits upon retirement . . ." Under this provision, you may not sign an employment agreement that includes a noncompete provision. It should be noted that the area of noncompetition is only in the practice of law. Conceivably, an attorney could agree not to work for a competitor in any capacity other than practicing law, but it is unlikely that such a provision would provide much comfort for the employer.

### **TREAT YOUR JOB AS A CAREER**

The most important thing that you can do for your career is to take the time to plan for your career development. Even though many of the forces that affect your career are beyond your control, such as economic changes and corporate mergers, as Pasteur noted, "Chance favors only the prepared mind."

The "prepared mind" in the context of a successful in-house attorney is one that is as well prepared as possible to cope with whatever changes come. In essence, you should seek to be as indispensable as possible to your current employer and as marketable as possible to future employers.

### **Write Your Goals Down**

At the same time, you should write down your goals. By writing your plans down, you give definition to where you want to go and make the result more tangible. Whether your goal is to become general counsel of a Fortune 500 company by age 45 or to become an appellate judge or to be the best transactional attorney in your department or to make a decent living while raising children who could pick you out of a lineup, identifying your goals is the essence of career management.

Once you have defined your goals, you can identify the steps necessary to make those goals a reality. Of course, goals are deeply personal, and the steps you should take to become a Fortune 500 general counsel may differ greatly from the steps you should take to become an appellate judge. Certain themes are constant, however, for managing almost any career.

## **Develop, Develop, Develop**

The key to successful career management is constant development of your skills. Just as your employer faces constant fresh challenges from competitors and from the changing business environment, you face similar pressures. Even if you do not face someone within your own department competing with you for your position, you certainly face a universe of outside counsel eager to take on the work you do. Furthermore, your cozy niche within the department could be disrupted tomorrow with the announcement of a merger or an acquisition.

If you plan to handle exactly the same types of transactions or to try the same types of cases for the rest of your career, you may be successful, depending on how many years you have left to practice, how specialized your niche is, and how lucky you are. But if you are expanding your talents, you leave much less of your working future to chance.

### *Deepen Your Abilities within Your Field*

The umbrella of skill development is a broad one, with several different approaches. The most common method of career development, and one that every skillful attorney experiences, is the deepening of your abilities within your specific field. Although your law school training, your native intelligence, and the presence of a mentor may have guided you through your first transaction or litigation in a given area, you develop skills and efficiencies each time you handle a similar transaction or try a similar case. Indeed, this method of career development is inherent in learning how to be an effective attorney.

Given the right opportunity, deepening your abilities within a specialty is the easiest and most natural way to develop as an attorney. The goal here is to be superlative within your field. Most knowledgeable, most creative, and most efficient are the terms that others assign to people who have truly developed their skills within a given area.

The most significant trap within this approach to career development is that it may lead to stagnation. If the area of law is narrow or relatively simple, you run the risk of not expanding your skills as rapidly as those in other fields. In other words, after five years, will you have five years of experience or one year of experience five times?

Another risk with this approach to career development is the chance that you can become well established within your niche, only to have your niche become irrelevant. You may be the world's leading expert on ESOPs, but if Congress were to decide that ESOPs no longer represented good tax policy, your skills could be of little importance to your corporate client or anyone else.

### *Diversify Your Skills*

Of course, rarely do entire areas of law lose their relevance. More common are the ebbs and flows of different specialties. Antitrust litigation, environmental law, and real estate transactions are examples of areas that have had their moments of strengths and weaknesses. Within the legal community, the effects have been significant, but not profound. Within the microcosm of a given law department, however, skilled, specialized



attorneys have found themselves lacking work. They have needed either to find another employer who required their particular skills or to translate their skills to a more relevant practice area. They have found it necessary to diversify their highly focused skills.

For most people, skill diversification is a better means of career development than deepening skills in a given niche. The myriad of issues that arise in a typical corporation provides a wide variety of opportunities to exercise skills in new settings. See sidebar on this page for one general counsel's thoughts on skill diversification.

#### Skill Diversification from the Employer's Perspective: Sprint's Experience

For example, once you have developed expertise in real estate financing transactions, you may begin seeking the opportunity to participate in the handling of environmental concerns related to the acquired property. If you are managing the workers' compensation claims of your company, you may seek to expand your scope into other casualty claims or into employment litigation.

The key is to continually develop a broader group of related competencies. This strategy allows you to broaden your own knowledge so that you can be a more effective attorney in all that you do. The increased perspective you gain from handling a wider variety of matters helps spark creativity and insight in your core field. Apart from the fact that it enables you to strengthen your core competencies, developing skills in related areas also helps make you more versatile and therefore more likely to survive a shift in the legal needs of your corporate employer or of the legal community as a whole.

Obviously, a balance must be struck between becoming versatile and becoming a jack of all trades master of none. The proper balance depends on your interests, abilities, and opportunities.

Not everyone has the intellectual capacity to become the polymath of the law department. Furthermore, most do not have the opportunity. If you are the fifth person in a ten-person department supervising workers' compensation claims, you may not have an opportunity to do anything else for quite some time.

Likewise, if you are the sole counsel of a company engaging in complex international transactions involving litigious parties, you may count yourself fortunate if you are simply able to recognize enough of the issues to refer them to the appropriate outside counsel. You may not have the time or energy to develop expertise in additional areas.

Regardless of your circumstances, however, stagnation is the greatest threat to career management. If you are in a position in which you cannot grow in the depth or the scope of your legal knowledge, it may be time to seek a different position.

#### *Go back to School and Learn Your Company's Business*

Strengthening your legal knowledge is not the only manner in which you can become more valuable to your employer, however, or in which you can further your career plans. Because the vast majority of corporate counsel are hired first because of their legal expertise, as opposed to industry expertise or even general business expertise, it is not uncommon for corporate counsel to learn business through on-the-job training.

In most instances, this level of knowledge is sufficient for a corporate counsel to advise clients. You do not need to have an MBA to appreciate the fact that the transactions you negotiate need to be profitable, and you probably do not need to be an electrical engineer to handle employment claims for a utility company.

If you really want to get beyond the business basics or if you want to develop a deeper understanding of the industry of which your company is a part, however, additional schooling may be a major component of how you manage your career. See sidebar on this page for a list of the top ten things corporations want members of their legal department to know.

Many corporate employers have tuition assistance plans. Some advance the full cost of tuition, books, and related fees, and others have the worker/student submit those expenses for reimbursement after successful completion of the class. Some allow reimbursement for any courses, but most insist that the courses taken relate somehow to increasing your effectiveness in your current job or to making you more qualified for other positions within the organization.

Virtually all tuition assistance plans require that the student/worker achieve at least a "C" in a class to qualify for the assistance. Some employers vary the amount of assistance according to the grade received, such as 100 percent reimbursement for an "A," 80 percent for a "B," and 60 percent for a "C." Finally, many employers cap the amount of reimbursement that may be paid out over a year or over the employee's tenure.

Even without a tuition assistance plan, however, it may make sense to hit the books to develop new skills or to deepen knowledge within your industry. If taxes are an important part of your practice, an LLM in taxation may prove helpful. If you are working in the medical field, some courses related to medicine could improve your ability to relate to your fellow employees.

### *Get out There, Network, and Play Nice with Others*

The desire to relate to your fellow employees is another key to a well-managed career. Although great relationships may not be strictly necessary to represent your corporate client, the ability to communicate accurately and effectively with other employees is a key to successful corporate practice.

For career management purposes, though, the importance of skillful networking within the corporation cannot be overstated. Not all decisions bearing upon the law department are made within the law department, and the people in accounting, marketing, or other departments may wind up in positions to advance or sabotage your career. Additionally, they have friendships, as well, and may use those friendships either positively or negatively for your career. For example, a marketing person who misunderstands your caution in handling a potential deal could saddle you with a reputation as a deal-killer.

Although a full treatment of the topic of networking is outside the scope of this article, it is easy to find good resources addressing the hows and whys of networking. For purposes of skillful career management, however, few tools are as important as a great network.

A great network does not stop in the company parking garage, however. Getting to know other attorneys, particularly those within the corporate counsel community, enables you to expand your horizons, learn of advancement opportunities, access an astounding amount of relevant expertise, and also enrich your personal life.

The networking opportunities presented by involvement with ACCA, for example, at both the national and the local level have proven to be one of the most appreciated benefits of membership. Ronald Polasek, general counsel of Recon/Optical, Inc., near Chicago, says, "I think ACCA involvement has two tremendous advantages. One is the substantive law, and two is the network with other in-house counsel. If you find yourself on the street looking for a job, there is no better place to start than with a network of 20 to 50 in-house counsel in your area."

### *Consider Volunteering to Serve on a Management Team*

Beyond deepening and broadening legal knowledge, pursuing educational opportunities, and networking inside and outside the corporation, another common technique of career management is participation in management, where appropriate. Of course, this involvement can be as casual as offering your thoughts on issues beyond the legal problem presented in a given matter, but it can also occur in a more formal manner.

Attorneys are often looked to in forming management committees, for example. Although you should assess each such opportunity as to whether it will improve your career and exposure within the company or merely serve as a distracting waste of time, participation in such committees is usually valuable.

They give you the experience of participating in a team focused on issues that are not strictly legal. As such, they serve as good networking tools, as well as good opportunities to deepen and broaden your knowledge about your employer.

## **EXIT STRATEGIES**

As discussed above, loyalty and stability are not dead, but they are not flourishing, either. In today's world, you need an exit strategy from your current position and employer, even if you hope you never need to use it.

Two main exit strategies warrant your attention. The first is the planned exit, and depending on the goals you set forth in determining your career plan, you may or may not ever need to make a planned exit.

If you are fundamentally happy with your company and if your career path within it is relatively clear and satisfactory, then there is no need to develop a plan for exiting. Congratulations, and enjoy the ride.

The most you should do in that situation, perhaps, would be to take a few moments to define what, if anything, could lure you away from your current position. By identifying those thoughts now while you are satisfied with your current post, you can more easily handle whatever additional opportunities may present themselves to you. In the midst of a bad day, the grass might look greener elsewhere. Even on a good day, however, the

flattery inherent in being asked to consider another opportunity can cause unnecessary soul-searching in someone who is fundamentally happy. Unlike Dorothy, you may not be able to just click your ruby slippers and go home once you realize that's where you belong.

### **Strategy for a Planned Exit**

If, however, you are distinctly unhappy in your current position, you should work diligently to change your setting. In managing your career, few things can be more damaging than sticking with a job you do not like. Having a negative attitude while putting in the long hours required of today's corporate counsel is emotionally draining and does not allow you to do your best work.

In such a situation, however, you must be careful not to be reactive. Again, the key to career management is planning. Getting mad at your boss and posting a resume on Monster.com is not planning.

First, identify why you are unhappy. Is it pay? Is it the quality of the work you are getting to handle? Is it management? Only by making sure you truly know why you are unhappy can you make certain that any move you make will improve your lot in life.

It is probably more important, however, to sit back and think about what you do like about your current position. It may be that you could lessen the effects of whatever has you upset and make your current position far better. Even if not, you will arm yourself with an awareness of what you are looking for in your next position.

### **Strategy for an Unexpected Exit**

The other type of exit strategy is the preparation for an unexpected exit. This type of exit strategy is far more difficult, and it is essential for everyone, regardless of current job satisfaction. What happens if your company gets swallowed up by a larger entity and eliminates your law department? What happens if you have a change of management? What if technological or competitive change forces your company into bankruptcy?

This unexpected exit should not be unplanned. This circumstance is one of the reasons you have been broadening and deepening your legal and business knowledge. It is why you have been networking and continuing your education. It is why you have kept your resume current. Some people are afraid to keep a current resume on their office computers lest someone find it and think they are planning an immediate departure. Others keep their resume openly on their computer desktops so that they can add speaking engagements and published works as they occur so that the resume will be ready to send out immediately to the next people who ask them to speak or write. Keep your resume current and handy. See sidebar on the next page for a handy checklist of the 10 most important items to have on your resume from a prospective employer's perspective.

Fortunately, today's corporate counsel have a broader range of options than existed a couple of decades ago. At that time, it was almost unheard of for an attorney to go from an in-house position to a position within a law firm. These days, however, law firms

appreciate the legal expertise, business savvy, and corporate contacts a former in-house counsel can bring to a law firm.

One of the first questions asked of any lateral candidate seeking a law firm position is whether the candidate would be bringing any business along. In some instances, corporate counsel may be able to do just that. If the departing attorney has a high level of expertise in a given facet of the department's business, the department may well choose to outsource that work to the departing attorney. The departing attorney may also be in a position to influence where outside counsel work is assigned. It is not unusual for an attorney who is departing on good terms to bring in a large amount of work from the former employer.

Beyond law firms is a host of other opportunities. By referring to the career plans you have made, you can broaden your vision. Of course, moving to a different corporate department is an obvious choice. Corporate departments frequently prefer to hire attorneys with in-house experience, and they are often sensitive to the fact that many departures from corporate departments are not driven by issues of merit.

Some corporate counsel find themselves leaving the practice of law entirely. In the Emerging Legal Workforce study mentioned above, only two-thirds of attorneys surveyed reported that they intended to remain in the legal profession for their entire career. Former corporate counsel frequently have gained managerial and business experience, making them attractive for a wide variety of nonlegal positions.

### **The Ultimate Exit Strategy: Retirement**

Of course, for many, the best exit strategy is retirement. Despite the changes in the workforce, many corporate counsel still wind up retiring from the departments they have worked in for decades. If you are in a position to do so, your remaining career management issues are few and relatively easy to handle.

Should you remain in an advisory capacity? The answer to that question depends on your relationship with those remaining behind, as well as your own attitude toward retirement. If you would rather go fishing with the grandchildren, don't let the office distract you. If you want to keep a hand in things, and they still want you, set your own hours, and have fun with it.

### **CONCLUSION**

Whether you plan to change jobs or not, you cannot afford to take a passive approach to your career. Negotiating your employment terms, focusing on improving your skills, and keeping a current resume can increase your effectiveness and job satisfaction, even if you never leave your current employer. Equally as important, if you follow the advice set forth above, you will be prepared to handle whatever curves you encounter on your career path.

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## **Side Bar: Skill Diversification from the Employer's Perspective: Sprint's Experience**

When J. Richard Devlin became general counsel of Sprint, he came from a regulatory background. Faced with leading a multifaceted law department in a complex industry, he says, "It was frightening how little I knew." Since that time, he has set out to make certain that the next time a senior level position came up, a selection of well-rounded, qualified candidates would be available.

Devlin has seen firsthand that skill diversification benefits the law department, as well as the individual attorney. "In a complicated business, having lawyers with a broader experience base is helpful," Devlin reports. As an attorney proceeds up the organization chart, broader skills are required.

Of course, Devlin does not expect an experienced litigator to become the world's greatest mergers and acquisitions lawyer during a two-year assignment to the mergers and acquisitions group. That person does, however, gain experience and perspective and also has the opportunity to work with the more experienced members of that group.

Another advantage to Sprint's skill diversification effort is that the movement of people among different groups allows for more cohesiveness and collegiality than could otherwise be expected in a law department covering a wide variety of practice groups, sometimes housed in different buildings. It also has proven to be a great recruiting and retention tool because attorneys view the Sprint law department as a great way to gain skills in new areas. Devlin is pleased with the results of Sprint's effort to encourage skill diversification. "A couple years ago, we made major changes at the officer level," he reports, "and a lot of people left their comfort zones." The result, however, was that "it stimulated a lot of energy within the law department." Although the motivation to start Sprint's skill diversification effort was to train future leaders, the effort has paid dividends in recruitment, retention, cohesiveness, and collegiality within the law department. The department has profited at least as much as the individuals who have gained a broader set of skills.

## **Side Bar: Top Ten Things Corporations Want Their In-House Counsel to Know**

1. To be helpful and effective, your advice must be clear and understandable by people who are not attorneys.
2. A good answer today is usually better than a perfect answer next week.
3. You are a member of the team, not the coach.
3. Sometimes we are going to take risks, even after you have pointed them out.
4. Technology, if properly used, makes you more efficient. Stay up to date.

5. Cost-efficiency is a driving concern in all aspects of the business, including the law department.
6. Just as we must be able to understand your legal advice, you need to understand as much as possible about our industry.
7. Your ethical opinion is at least as important as your legal opinion.
8. Your advice needs to be accurate and up-to-date in whatever area of the law it is sought. If you are out of your comfort zone on something, let us know, and either get up to speed or involve outside counsel.
10. The individuals seeking your advice often think of you as their personal attorney. Make certain everyone knows who your client is.

## **Side Bar: Top Ten Most Important Items for Your Resume**

### 1. Evidence of Career Progression

Employers want to hire lawyers with a rising career path. Job changes should always show professional development and increasing responsibilities.

### 2. Academic Excellence

It is not unusual for law school performance to be an important factor in hiring decisions involving candidates with more than a decade of experience.

### 3. Reasonable Number of Prior Employers

The days of getting labeled as a job-hopper if you've moved twice in a decade are long gone, but employers still want to see some evidence of stability. If you were at an employer for less than two years, be prepared to explain why.

### 4. In-House Experience

The law firm environment is markedly different from the in-house environment. Many corporate employers prefer to hire those who have already made the transition.

### 5. Industry Experience

Every industry has its nuances. Employers generally prefer to hire people with related experience.

### 6. Accomplishments

Rather than mentioning that you spent five years as an insurance defense attorney, list the number of trials you first chaired and what your winning percentage was. If you handled mergers and acquisitions, what did you merge and acquire?

7. Community Involvement

Most employers want to hire attorneys who will improve their public image.

8. Publications and Speaking

Having your articles published in law journals and speaking at seminars demonstrate that you have some expertise in your field and that you have the ability to communicate your knowledge.

9. Awards

Awards are recognition of excellence, and you will impress employers if your deeds have been noteworthy enough to earn an award.

10. Truthfulness

Just assume that any fudging, any exaggeration, and any fabrication will be caught eventually. No position is worth the damage to your reputation that will follow.

**Explore information related to this topic.****Online:**

- ACCA INHOUSE JOBLINESM at [www.acca.com/jobline/](http://www.acca.com/jobline/).
- "Career Options for In-house Counsel" InfoPAK at [www.acca.com/infopaks/caroptions.html](http://www.acca.com/infopaks/caroptions.html).
- "Dun and Bradstreet's Employment Opportunity Directory" at [www.dnb.com/](http://www.dnb.com/).
- Infirmination.com Career Advice at [www.infirmation.com/articles](http://www.infirmation.com/articles).
- Law.com Career Site at [www.lawjobs.com](http://www.lawjobs.com).

**On Paper:**

- KIMM ALAYNE WALTON, WHAT LAW SCHOOL DOESN'T TEACH YOU . . . BUT YOU REALLY NEED TO KNOW (Harcourt Brace Legal & Professional Publications 2000).
- KIMM ALAYNE WALTON, AMERICA'S GREATEST PLACES TO WORK WITH A LAW DEGREE & HOW TO MAKE THE MOST OF ANY JOB, NO MATTER WHERE IT IS (National Book Network 1998).
- DEBORAH ARRON, WHAT CAN YOU DO WITH A LAW DEGREE? A LAWYERS' GUIDE TO CAREER ALTERNATIVES INSIDE, OUTSIDE & AROUND THE LAW (4th ed., Niche Press 1999).
- HINDI GREENBERG, THE LAWYER'S CAREER CHANGE HANDBOOK: MORE THAN 300 THINGS YOU CAN DO WITH A LAW DEGREE (Avon Books 1998).
- RICHARD NELSON BOLLES, WHAT COLOR IS YOUR PARACHUTE? 2001: A PRACTICAL MANUAL FOR JOB-HUNTERS AND CAREER-CHANGERS (Ten Speed Press 2000).



## THE DRIVER-BROUSSEAU CAREER CONCEPT MODEL

### Career Concepts

Your career concept is your “working model” of a career. It is linked to your idea of what you should do with your career. It predicts your next career move and varies along three dimensions:

- The stability of your career choices: whether your move from discipline to discipline or stay in the same or similar field.
- Direction of your movement; up, laterally or both.
- Timing of movement: one to three years, three to ten years; rarely.

There are four career concepts that were defined by the career concepts exercise you completed on line:

- Linear people make mostly stable choices, movement is usually up toward the top of an organization or institution in terms of grade, pay or status. The timing of the movement is every 12-18 months or sooner if possible.
- Expert is a very stable pattern where choices are usually made for life. Attorneys, medical doctors, engineers and others sometimes fall into this pattern. These individuals move laterally to gain more expertise and define success by competence in their field. Movement can be fairly slow to gain optimal expertise.
- Spiral is a less stable pattern with movement occurring every three to ten years from one related field to another. A typical spiral pattern might see a person moving from a teacher to a counselor to leading a youth organization. Movement is usually lateral and goes from specific to more broad interests, from technical to more creative and from focused on self to focused on social concerns.
- Transitory is the least stable pattern with movement occurring every to three years to an almost competently different field. Movement is usually lateral with little emphasis on “moving up”.

Your profile shows a dominant concept and the next most dominant. Find these on your print out and identify which two patterns are your most dominant.

## Career Motives

Career motives differ from career concepts in that they are the “heart” of your passions about your career. They are the real drivers of your motivators around your career. They also do not necessarily match your concept. In fact, in most cases, motives often don't perfectly match career concepts.

**Linear Motives:** The motive most strongly linked to the Linear career is *power*. The *achievement* motive often is important too. People who prefer the Linear career often place great importance on gaining power to achieve important accomplishments. They want to make important things happen.

**Expert Motives:** People who prefer the Expert career often have a strong *competence* motive. They attach great importance to opportunities to further develop competence or *expertise*. By pursuing the Expert career pattern, a person has the opportunity to develop and refine a great deal of expertise in a particular type of work over a period of many years. Research also shows that these people place high importance on *security* and *stability*.

**Spiral Motives:** For those who prefer the Spiral career, the *personal growth* motive is likely to be very important. A person can greatly expand his or her repertoire of skills and abilities by periodically moving laterally into a new field that allows him or her to develop new skills by building on previously developed capabilities. Opportunities for creativity also are important. People desiring Spiral career paths often highly value the *nurturance* motive and therefore enjoy helping other people grow and develop.

**Transitory Motives:** Transitory careers involve lots of change. Accordingly, people who prefer the Transitory career frequently have a strong novelty motive. Their philosophy is captured well by the old adage, “Variety is the spice of life.” They dislike work that is routine and structured, and situations in which they are closely supervised. They value *independence* highly. People who prefer Transitory careers often like situations that permit them to act as independent “trouble-shooters.” In some cases, particularly among young people, a search for *self identity* is an important motive in the Transitory career.

## Career Cultures in Organizations

Not surprisingly, most organizations develop a culture which reflects a predominant career concept. Table 1 identifies various dimensions of organizational culture which relate to each of the career concepts.

Table 1

<b>Career Culture</b>	<b>Business Strategy</b>	<b>Policies</b>	<b>Structures</b>	<b>Rewarded Behaviors</b>	<b>Types of Rewards</b>
Linear	Expand market share;	Upward movement; decreasing job and role structure at higher levels	Tall pyramid	Reducing costs; increasing output	Promotion; quick recognition; increasing span of control
Expert	Maintain market share; produce quality products	Specialty grade assignments; well-defined jobs & rules	Flat pyramid; functional units	Quality and reliability	Benefits; specialty assignments; specialty skills training & assignments
Spiral	Spin-offs; diversification; new ventures	Developmental assignments; participative job/role development	Matrix; open systems; autonomous work groups	Creativity; developing others	Lateral assignments; education; leaves of absence
Transitory	Targets of opportunity	"As needed" assignments; little structure or job definition; few rules	Ad Hoc teams; temporary project structures	Immediate results	Cash bonuses; job rotation; flex-time; autonomy

The variety of career concepts, with distinct underlying motives for each, suggest the need for organizations to recognize these differences among people. Aggressive and productive career development systems respond effectively to these differing career ambitions. Organizations aiming for improved productivity, quality, and growth find innovative ways to satisfy these career needs by providing varied career path opportunities and an array of different types of rewards.

**Your Career Lifeline**

First, map your career moves along the lifeline including where you worked, what you did and the length of your tenure. Explore with a colleague how the moves illustrate your two dominant career concepts.

Second, review your career lifeline again and define how each move met (or did not meet) your dominant career motives.

First position

Second position

Third position

Where

What

Length

What you liked

What you did not

Fourth position

Fifth position

Sixth position

Where

What

Length

What you liked

What you did not

**Based on the GROW model, select from among the following questions, and also generate your own, in order to define your goals and identify action steps to meet them.**

### GOAL

- What are some near term desires or next steps for your career?
- What would the by-products be of reaching this goal? (greater job satisfaction, better life balance, reduced stress, etc.)
- What are the consequences if you do not reach this goal?

### REALITY

- What sources of support are presently available?
- What sources of support might you develop?
- What obstacles exist?
- How may you overcome them?
- Is the goal still realistic?

### OPTIONS

- What are your most desired strategies to fill gaps between motives and concepts or knowledge and skill gaps?
- What have you failed to consider?
- What are your alternatives?

### WAY FORWARD

- Do any of your identified options interest you enough to take action?
- How might you go about it?
- What might get in the way?
- How will you manage these obstacles?
- What sources of support would reinforce a desired outcome?
- What and when is your next step?