

## So You Want to Switch Practice Areas?

In a lot of respects, the path paralegals, legal secretaries and others take to joining a particular practice area is nothing short of insane. For example, many paralegals interview for positions directly out of college or a paralegal program, take the best they can get, and then end up practicing in a certain practice area throughout their career. Given that people spend a significant amount of their lifetime at work, enjoying the work they do is especially vital, and the process legal professionals undertake to choose a practice area seems nonsensical in a lot of respects. It is not surprising then that many legal professionals call our offices on a daily basis seeking to switch practice areas.

We should add at the “distinction” between practice areas is often most pronounced for legal professionals practicing in large law firms. In smaller legal markets, and smaller law firms, legal professionals may literally be “jacks of all trades”-simply doing the work they are assigned by attorneys.

It is difficult to switch practice areas, but it can be done. Your ability to switch practice areas will depend upon your the length of time you have been working, the law firm you are with, the condition of the legal job market, the market demand of the practice areas you want to leave and enter, your geographic location and, perhaps, pure luck. However, the most important aspect involving the switching of practice areas revolves around the question of who you are specifically.

An important aspect to remember in all of this discussion is that switching practice areas should not be a decision taken lightly. What type of work you should be practicing should be more a function of where you feel your skill set and interest lie more than anything. Additionally, simply switching firms to join a new practice area may not always be appropriate either. For example, you may be able to switch practice areas within the confines of your own firm. If this is possible, you should not enlist the aid of a legal recruiter.

### **How Do Legal Professionals Choose Practice Areas?**

Many legal professionals initially choose one practice area over another by default: simply, it is the job they find themselves in when they join a firm. Sometimes, the condition of the legal market forces them to choose a particular practice area. For example, because of the weak market condition in the early 1990’s, many young legal professionals at the time were forced to choose litigation instead of corporate or transactional areas of the law. Others decide based on their perceived stability of their chosen practice area and the strong demand shown in the marketplace for legal professionals in a practice area.

In whatever manner a legal professional chooses a particular area of practice, once that legal professional begins practicing law, partners, associates, firm clients and people in general begin building expectations and, in their mind, categorize the legal professional as a litigation, corporate or patent expert.

Unfortunately, these expectations become even more intense as the years pass, and, obviously, make it all the more difficult to switch practice areas. If you have been a real estate paralegal or secretary for 8 years with no litigation experience, despite the fact that you are working in a major international law firm, you would find it difficult to land a job in a major law firm doing securities litigation work.

A colossal change in practice area, as described above, would be possible if there is a tremendous demand for legal professionals in the desired practice area and/or the legal professional has solid credentials. For example, assuming the legal professional described above has a technical degree, firms may be interested in her if she chooses to become a secretary to a patent attorney. Of course, in some cases, she would have to take a cut in her salary to compensate for her lack of immediately applicable experience.

### **Who Wants to Switch?**

**1. Litigation Legal Professionals:** Litigation candidates are the most likely to want to switch to another practice area. As every legal professional in the legal industry knows, litigation work can be extremely high stress. One of the largest complaints we have heard from legal secretaries is associated with the stress of meeting court filing deadlines. Many litigation paralegals are quick to complain about the document reviews they are forced to do. In most instances, litigation legal professionals want to switch practice areas to become corporate legal professionals.

Some litigation legal professionals, moreover, are initially mesmerized by the prospect of involvement in courtroom

drama, or perhaps by the personalities of famous trial lawyers such as David Boies, F. Lee Bailey, Jerry Spence, or Johnny Cochran. However, after working in the legal field for some period of time, they become frustrated with having to review stacks of documents or assisting jumpy and demanding attorneys engaging in petty procedural law & motion matters, and quickly realize that they would rather build than destroy. Many legal professionals who switch from corporate to litigation also do so because they do not like the constant conflict and adversarial environment involved in a litigation practice-which can often involve their bosses!

Similarly, many litigation legal professionals may have misunderstood what makes a good litigation legal professional when they made the decision to join a particular practice group. Those involved in the litigation field do not necessarily possess a Type A personality, lack social graces, have innate aggressiveness, and exhibit no empathy to their adversaries. Most successful litigation legal professionals are, instead, cordial and professional in their interaction with their counterparts and superiors. Arguably, Daniel Goleman, the author of *Emotional Intelligence: Why It Can Matter More Than IQ*, was right that successful people, for our purpose litigation legal professionals, possess self-awareness, altruism, personal motivation, empathy, and the ability to understand and relate to the emotions of others and are able to overlook and ignore adversaries who exhibit gigantic egos, are unprofessional or act rudely. According to Goleman:

“At best IQ contributes about 20% to the factors that determine life success, which

leaves 80% to other forces...No one can yet say exactly how much of the variability from person to person in life's course it accounts for. But what data exist suggest it can be as powerful, and at times more powerful, than IQ." (Goleman, Daniel (1995). Emotional Intelligence: Why It Can Matter More Than IQ. New York: Bantam Books.)

If you have the qualities of successful people described by Goleman, you probably have the building blocks for being a talented litigation legal professional.

**2. Corporate Legal Professionals:** The desire to switch practice area is not unique to litigation legal professionals. Corporate and transactional legal professionals realize that they are not working on "deals" as often as they would like, or realize that they spend too much time with volumes of legal jargon. During the first half of the Year 2001, as corporate legal professionals were being laid off or corporate work was very slow in numerous large American law firms, many corporate legal professionals wanted to switch to litigation or another practice group. In the Year 2000, when corporate legal professionals were doing exceptionally well (with overtime many were earning close to-if not more than many attorneys in their firms), very few corporate legal professionals wanted to switch to litigation. One thing about litigation is that there are people who are more suited to it than corporate work. Litigation legal professionals tend to have very good verbal and writing abilities and enjoy the human sides of conflict. Conversely, corporate legal professionals often more enjoy the unemotional but controllable aspects of

the work they do and the exposure to high profile deals. Corporate legal professionals often have an interest in business as well.

In the wake of the tremendous demand for corporate legal professionals from 1998 through the Year 2000, many legal professionals may have gone into the corporate field that were actually more suited to litigation. Accordingly, there may be justifications now for many of the legal professionals who initially chose corporate as a practice group to switch to litigation.

#### **Why Do You Want To Switch?**

Legal Professionals who chose to switch practice areas for the "right reasons" most often do so because they realize that they are not suited for the particular practice area they are in. It is imperative that you thoroughly evaluate the reasons why you want to switch practice areas. Why do you want to switch? Was it listening to your friends boast about the mega merger deals they worked on, or the salary they command because of the incredible demand and overtime available in their practice area? Or, was it your perceived glamour of courtroom drama, or watching countless hours of Ally McBeal?

Have you thought about whether you are seeking to change practice area because you are unhappy with your current firm? In such circumstances, changing firms may ultimately be the right choice instead. Perhaps you need a vacation after working for 30 days straight on a huge document production.

Whatever the reason, you need to be honest with yourself and identify the reason you are seeking change in your practice area,

and make sure that your reason has been thoroughly explored and is compelling. You do not want to find yourself in a similar predicament in a year or two after you have switched practice areas.

### **Critical Analysis**

You have to critically analyze yourself to determine if you have the personality traits and qualities to practice in the area you desire. If you are an introvert, who does not enjoy a confrontational and adversarial work environment, you should not consider switching your practice area to become a litigator. Are you detail oriented? Do you enjoy working mostly on your own, or with others? Do you have an inquisitive nature? Are you good with numbers? Do you enjoy complex matters? Do you relish winning, rather than seeking a win-win resolution?

Besides analyzing your personality traits, you must also take stock of your credentials, which include both your academic background and your experience. Remember that firms are pedigree hounds! Having an impressive work history opens a lot of doors, including getting a firm to notice you even if you want to switch practice areas. Another attribute is major law firm experience. A legal professional working in a top tier law firm would get much more favorable reception than one who toiled for an unknown firm in North Dakota (this is not to say that North Dakota does not have great firms).

### **How To Make The Change?**

Once you have identified the reasons why you are seeking to change your practice area, are convinced that the reasons are compelling, have done the requisite critical self analysis and examined your academic

and experience credentials, you should plan how to proceed to make the desired change.

If you have done an outstanding job with your current firm, and your firm thinks highly of you, then you should approach your current firm and ask to switch your practice area. You should first speak with trusted confidants within the firm, hopefully partners or senior associates, before surprising the managing partner or the director of administration. In addition, find out if there is a need for a legal professional in the desired practice area within the firm. If there is such a need, naturally your task is much easier.

Also, you should explore whether changing firms would enable you to reach your desired goal. If you have superior credentials, have a serious commitment to changing your practice area, and there is a demand in the marketplace for such legal professionals, you will probably be successful in changing your practice area. In preparation for switching your practice area, think about attending a seminar, speaking with other legal professionals in the practice area you are interested in, or taking a class to familiarize yourself with your desired practice area. This would show the firms initiative on your part, and it would demonstrate to the firms that you are serious and committed, and have thoroughly explored the practice area you want to enter.

### **Conclusion**

It is true that peoples' emotional well being is strongly tied to their work. This is not surprising because a significant portion of our waking hours is spent going to work,

actually working or thinking about our work. If a person is unhappy with their line of work, a feeling of discontentment, melancholy and sadness, including perhaps depression, most likely permeates in their social and professional life.

Of course, it is entirely normal to feel unhappy with your job occasionally, and the reasons for the unhappiness may not be related to your practice area. But if it is connected to your practice area, it behooves you to explore the reasons. Besides determining why you want to switch your practice area, you should critically analyze your skill sets and personality traits, as well as your professional credentials, prior to embarking on the process to change your practice area.

Changing practice areas is quite a significant undertaking. At Law Firm Staff, our recruiters have previously changed practice areas or have counseled their candidates through the process. If you are a candidate who has solid credentials and have a commitment to change your practice area, please contact us.