

# Developing a Career Counseling Program for Your Lawyers: **ANOTHER WAY TO SHOW THE FIRM CARES**

BY AMY BERENSON MALLOW

An increasing number of firms have implemented or are considering providing career development services for their lawyers, either through an internal staff member or an outside consultant. While both approaches are beneficial in strengthening relationships with current lawyers and future alumni, enhancing firm morale, and furthering perceptions of a supportive firm environment, the best avenue for a given firm depends on the firm's goals and needs. Relevant factors to consider in choosing an approach include the current administrative framework, the time commitment the firm would like to allocate to the program, firm preference for an independent versus an internal relationship, and cost. The goal of this article is to help law firm professionals understand how career services programs are structured, the pros and cons of each approach, and issues to consider in program development.

## **RESPONSIBILITIES OF CAREER COUNSELORS**

Whether provided internally through a staff member or externally through a consultant, a career counselor might assume a range of responsibilities. Though lawyers at all levels confront career-related issues at different junctures in their professional development, some firms limit career counseling services to associates, while other firms offer these services to summer associates as well as partners. In determining whether to provide career counseling to a partic-

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ular population, firms need to consider the size of the lawyer population, demand, and time availability of the designated professional.

Career counselors usually have several primary functions:

- **Assistance with career goals and development needs.** Counselors help lawyers formulate short- or long-term plans to further their career development within the firm and collaborate with other firm personnel to identify firm resources and skills training opportunities that could enhance lawyers' growth. They also can work with lawyers to identify annual career advancement goals and provide advice on issues such as navigating the work assignment system, exploring work/life balance, and maximizing internal and external visibility.
- **Conflict management and problem solving.** Counselors assist lawyers in addressing troublesome relationships, office transfer dilemmas, and poor reviews. While it is not customary, they can help mediate a difficult situation (e.g., when an associate has a conflict with a partner in another office), refer an individual to a more appropriate liaison, or role play with individuals to prepare them to address the difficult circumstances on their own.
- **Career transitioning.** Counselors lead lawyers through self-assessment exercises and help them determine whether it is best for them to remain at the firm. They also provide information and advice regarding alternative career options.

### ■ **Group presentations or workshops.**

While some counselors work with lawyers strictly on an individual basis, others also present career-related programs to groups at informal firm gatherings or retreats.

Career counselors report that there is no particular "slow" season, since many issues arise throughout the year. Some do find, however, that traffic increases toward the end of the year after evaluations and bonus decisions are imparted.

## **INTERNAL CAREER COUNSELING PROGRAMS**

Firms that use an internal career coach have structured their programs in a number of ways. In some firms, the individual is under the umbrella of Professional Development, while in others they are part of Human Resources or Recruiting. Their titles vary from Senior Program Manager or Manager for Career Development to Career Guidance Manager. Also, some career professionals serve only a counseling function but others are involved with additional projects and committees such as the professional development committee, the mentor program, and the evaluation process.

Whether the professional is part-time or full-time and how much time he or she allocates to in-person versus telephone and e-mail communications depends on the anticipated scope of the counselor's duties. For example, some counselors serve the needs of all the offices of a firm, while others service a particular region (e.g., East or West Coast) or just one office. If the responsibilities encompass a number of offices, the counselor might travel to the other



offices periodically to meet individually with lawyers but would handle most of the counseling of those lawyers by phone or e-mail.

The actual physical location of a counselor's office within the firm is another issue to consider. One counselor has an office in a remote location so that associates do not need to be seen when they come in for appointments. This helps ensure the appearance of confidentiality in the event the lawyer has concerns about being viewed as having been terminated or otherwise in transition. Another professional is located on an attorney floor with a window office in order to convey as much credibility and perception of clout as possible. In evaluating which approach would be more suitable, one would want to consider the relative importance of each of these factors. In any event, some lawyers still prefer to meet away from the office site completely.

There are both benefits and challenges to offering an internal career counseling program. In terms of advantages, internal professionals may already be familiar with the firm culture, resources, and personalities and may be able to answer questions relating to internal procedures more easily. One professional at a firm with an internal program reports particular satisfaction in taking an active role in defining and shifting firm culture by communicating trends (e.g., regarding women's issues and performance reviews) and helping with implementation of change.

Challenges of the internal counseling model include promoting a perception of confidentiality in the event the counselor is viewed as part of the "institution," educating partners and associ-

ates about the nature and scope of the program, and gaining trust and credibility with key leaders in each office so that they will encourage other firm members to avail themselves of the services. Also, an internal program might be less cost-effective depending on anticipated time commitments because both benefits and salary need to be considered.

## EXTERNAL COACHES

Some firms that use external consultants for career counseling began by offering outplacement services to all lawyers. Then, after noticing enhanced relations with firm alumni and a more positive perception regarding the firm's commitment to lawyer development, they expanded the scope of the services to include more general counseling.

In terms of oversight and logistics, the external services could be managed by the Professional Development, Recruiting, or Human Resources Department. Counselors usually meet with lawyers at the counselor's office or at another location outside the firm. Individuals who choose to seek career counseling understand that their relationship with the consultant is confidential and that the outside consultant will only reveal to the firm the number of individuals who consulted them but not the names. Based on the firm's agreement with the consultant, the lawyer might be limited to a certain number of hours of counseling (usually about six hours) or might be entitled to receive unlimited counseling while they remain at the firm.

There are both benefits and challenges to instituting a program with external consultants.

Because consultants are not considered firm members, lawyers may feel that they are assured greater confidentiality in using the services and thus may be more comfortable discussing career issues. Moreover, the use of external consultants could fit well with the administrative structure already in place. For example, one firm that uses this approach already has a recruiting and development contact who is responsible for responding to lawyers' professional concerns and needs and who serves as the gatekeeper for general career-related issues. If more in-depth counseling is desired, that professional refers the lawyer to the external consultant. Because the consultant is available on an "as needed" basis, the firm does not have to assume the cost of an additional staff member.

In terms of challenges, outside consultants may have a steeper learning curve regarding firm personalities and culture. They may also need to make more effort to learn about other firm programs and resources.

## ISSUES COMMON BOTH TO INTERNAL AND EXTERNAL APPROACHES

There are a number of ways firms with career counseling programs introduce such services to their lawyers. These methods include making a general presentation to all lawyers who are eligible for the services, holding small group breakfasts or lunches, and calling or e-mailing all new hires. Some firms specifically reach out to a certain level of associate (e.g. sixth-years or

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fourth-years) through mid-level retreats or other limited gatherings, even when the services are offered more broadly. It is essential to keep key players at the firm (e.g., practice group leaders and executive partners) informed so they can help lend credibility and engender support for the services.

Internal and external counselors can also work together in providing career services to lawyers. In some firms, outplacement and more extensive counseling are handled primarily by an outside consultant while an internal counselor addresses general issues and serves as the initial point of referral for lawyers needing additional support. In other instances, the external consultant handles outplacement services while the internal professional provides career counseling to those who have not received termination notices.

Hiring a professional with the best credentials and experience is obviously important whether the firm uses an internal or external counselor.

Requisite qualifications might include a JD or counseling degree, career counseling expertise, specific experience working with lawyers and law firms, and knowledge of the legal market, career opportunities, and alternatives. For credibility purposes, it is helpful if candidates have experience working at or with a larger firm so that they understand billable hours and other pressures lawyers confront in that environment.

Firm members eligible for career counseling must be made aware, however, of the parameters of the counseling services. When there are issues of sexual harassment or other types of discrimination, the counselor will not be able to guarantee confidentiality and will have to disclose any such behavior to the appropriate firm professional. Other possible matters that would fall outside of a career counselor's purview would be those involving more serious mental health problems or those relating to malpractice or commission of a crime. It would be in the firm's best interests to make any

limitations to confidentiality clear in a written policy manual and through verbal presentations.

## CONCLUSION

In essence, by establishing a career counseling program, firms can enhance the career satisfaction of those within the firm, promote more positive perceptions regarding the firm's commitment to lawyer development, and better preserve relationships with alumni. Firms that offer career counseling – whether through an external or internal approach – indicate that not only have lawyers expressed appreciation for the firm's support, but that the firm has actually experienced increased retention because lawyers have found a renewed sense of energy and commitment to their jobs after exploring and resolving their career concerns. ■

**Note:** Career development for lawyers will be the focus of the 2008 NALP/ALI-ABA Lawyer Development Institute on June 19-20 at the Grand Hyatt in Washington, DC. Watch for details in the coming months on NALP's website under "Events."