

Law Firm Administration A Special Report

Success as a Part-Timer

Attorneys seeking a different balance can thrive and be good for firms.



BY KIRSTEN L. NATHANSON

In reality, all of us work like “part-time” attorneys. There are very few private law firm attorneys who will spend their entire year billing 2,000-plus hours for one partner or one matter.

We all divide our time among clients, partners, billable and nonbillable work, and our personal lives. Our law firms set expectations for us with the number of hours we are to spend on billable and nonbillable tasks over the course of the year, and then we are entrusted as professionals to fulfill those duties.

Within that model, there are those of us who seek a different balance—a lower professional hours threshold in exchange for more time for our personal lives, whether it be for child rearing, elder care, or pursuit of other interests. At the same time, we want to continue to be productive contributors at our law firms and do not want our careers to stagnate. Is this possible?

Not only is it possible, but it is emerging as a business necessity for law firms as more mid-level to senior-level associates, particularly female attorneys, leave law firms in pursuit of more flexible work arrangements. These departures are a loss not only in terms of the investment the firm has made in developing and training the attorneys, but for female departures, it is a loss for those firms committed to promoting more women into the partnership ranks. In addition, as more women leave law firms and become clients in corporate counsel positions, they may expect to see more diversity at the partnership level than is currently in place at many firms.

Law firms and attorneys should not be wary of part-time arrangements. Part-time attorneys work in the same way that full-time attorneys do, just on a different scale and at a different compensation rate. With input and flexibility from all parties, a successful arrangement can be forged where the law firm continues to receive quality work from the attorneys, and the attorneys can fulfill their personal and professional obligations, continue to grow and develop as lawyers, and even secure promotion.

There are many factors that make part-time success possible for attorneys, including:

- *Establishing your value before going part time.* For “home-grown” associates who wish to move to a part-time arrangement within their current law firm, it is helpful to have contributed several years of productive, quality full-time work. The firm then has a record to consider when weighing whether to accept your part-time request or to risk your leaving the firm. The firm will have a harder time seeing you leave if you have done well as a full-time associate. For more-senior attorneys entering firms as laterals, part-time arrangements can be negotiated using whatever unique experience or knowledge you are bringing to the firm that might not be found elsewhere.

- *Maintaining flexibility.* The legal service business at private law firms is generally not amenable to a 9 a.m. to 5 p.m. schedule. Clients call late in the day with demands, and there are intensive periods of work surrounding litigation deadlines and corporate transactions. A successful part-time attorney needs to remain flexible and step up to the plate during those intensive work periods to serve the client, with the understanding that a longer period of down time can be earned when the intensive work period is over. It is not an exact science, and clear, sustained communication of expectations between the attorney and law firm (or practice group) management is essential.

- *Maintaining availability.* Accessibility is a key aspect of client service for law firm attorneys. Technology offers a mixed blessing in this regard, with remote access of e-mail and work files becoming nearly universal. For the part-time attorney, periodic monitoring of e-mail and voice mail when away from the office is critical. Non-urgent matters can be deferred, but urgent matters require attention whether the part-time attorney is in the office or not, unless it can be delegated to others who are in the office.

- *Having a strong support network.* In many cases, the attorney can’t do this alone. For those attorneys who are part time because of family responsibilities, they should surround them-

selves with a support network to assist when the workload surges. In most cases, a supportive spouse who shares equally in child-care and household responsibilities will do the trick. Also, nearby family members or paid child-care or elder-care workers can lend the needed support.

- *Enjoying the substance of a legal practice.* This is applicable to all attorneys, but it is even more important for part-timers. Part-time attorneys have to spend a fair amount of energy managing the procedural aspects of their practice and workload, and such energy is simply wasted if they don't enjoy the substance of their practice.

- *Effectively managing time.* While time management is an important skill for all attorneys to master, it is vital for part-timers. With a reduction in hours at the office, the part-time attorney must maximize that time and find a balance between work and personal obligations that works. For some, that may mean a complete blending of professional and personal work (i.e., editing a brief at home during breakfast and writing a child's birthday invitations in the office), and for others it may mean near-complete separation of work and home tasks (i.e., staying at the office late or during weekend hours to complete work to maximize "off-duty" time at home). There is no "right" way to go about achieving this balance, but a part-time arrangement cannot succeed without some sort of time-management plan.

THE MANAGEMENT SIDE

Law firm partners and management must also do their part to ensure a part-timer's continued success. Key considerations include:

- *Respecting the attorney's schedule.* Firms can ask and expect some part-timers to "step up" during an intensive work period, but when that work period is over, the law firm needs

to be mindful of the attorney's reduced work commitment and give the appropriate down time to the attorney to make up for the surge in hours. Similarly, if a non-urgent matter arises when the part-time attorney is not available, the law firm should respect the attorney's schedule and await his or her return to the office to assign the matter. When urgent matters arise, the law firm should make an effort to delegate urgent work to those in the office if possible, until the part-time attorney is again fully available.

- *Continuing to develop and invest in the attorney.* Law firms need to look out for career stagnation in their part-time attorneys. Just because an attorney is not billing at a full-time pace does not mean that the attorney cannot be effective in client development or firm management. Law firms should treat the development of their part-timers no differently than other attorneys and should look to offer the same promotion opportunities, training programs, professional organization leadership opportunities, and speaking and writing opportunities that are available to full-time attorneys. The quality, difficulty, and scope of responsibility in a part-timer's billable work should also increase with seniority (as it does with a full-time attorney).

There are many other intangible elements that create a successful part-time arrangement at a law firm, but these factors are the essential building blocks for attorneys and law firm management to utilize in crafting productive, sustainable part-time professional arrangements for attorneys.

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