



When to Consider a Move

By Andrew Gurman

“I’m too busy.” “I’m going to wait another ten months for my bonus.” “I’m going to trial in a year and would not move until after that point.” Associates regularly make such statements when they delay pursuing opportunities at other law firms. Is this approach sensible? It depends, and to a very large extent, on the associate’s level of seniority.

The most important factor in determining when to consider a move is seniority. The vast majority of open associate positions are available for those with between two and five years of experience, *i.e.*, associates who graduated from law school two to five years ago. Large, prestigious firms focus almost exclusively on attorneys with this level of experience when looking to hire lateral associates. In fact, an associate’s peak marketability comes when s/he has acquired two to three years of experience. Among other reasons, firms particularly focus in this range because of associates’ relatively low billing rates and compensation at such class years and the extended period before such associates would seek to consider partnership.

Are there exceptions to this limited two-to-five year period? Yes. This time period, for example, is less relevant in hot practice areas or those with few qualified attorneys, such as investment management attorneys or patent attorneys with an engineering or science major in college. Smaller firms also tend to be less concerned about class year, but several adhere carefully to hiring within this range. Even so, these exceptions to the general practice are quite limited.

Candidates with elite credentials are consistently amazed when they find a very narrow range of options available to them after they have practiced for five years. In addition, the competition for these few spots is often fierce. But senior associates can simply drop back in class year to be considered for a two-to-five- year position, right? No. Firms with such class year limitations rarely consider a candidate outside of this range regardless of an associate’s interest in dropping back in seniority and regardless of her/his excellent credentials. Indeed, firms are most likely to hire at the junior part of the range.

Making a lateral move to another law firm is a serious personal and professional decision that requires weighing a multitude of factors. But an associate must carefully watch the window of marketability. Otherwise, most options will forever slip away and competition for the remaining spots will be intense.

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