

LAW WEEK

COLORADO

SYMBIOSIS THROUGH SECONDMENT

Everyone wins when firms share their professionals with a client in need of in-house help, attorneys say

BY HANNAH SKEWES
LAW WEEK COLORADO

It may not quite be an industry secret, but many lawyers are unaware they can get in-house experience without ever leaving the employ of a law firm.

Secondment programs — where an attorney works with a company's legal department for a finite period ranging from months to a few years — allow for a multifaceted symbiosis for lawyer, law firm and client.

Most measurements show a high level of popularity among all parties — client, firm and attorney — for secondment programs. Many firms use the arrangements to bolster client relations while attorneys gain the highly specialized experience of in-house work, and the hiring company is able to fill a short-term need such as staff deficiencies or projects that take up extra resources.

"I think, definitely, being in-house is very different than being with a firm," said Camila Tobón, of counsel at Shook Hardy & Bacon's Denver office. "Secondment gives a view of that."

Tobón, who completed a secondment in 2007 for a Fortune 50 client while still in Miami, said Shook Hardy & Bacon uses secondment arrangements "quite a bit" for a variety of reasons, ranging from specific short-term projects or to fill a temporary void in legal department ranks. The firm's secondments have ranged from a few weeks to six months, she said.

Secondments have no uniform qualifications but are typically based on client need.

Tobón worked full-time for a Latin American telecommunications manufacturer for two months to help while the company was short-staffed, bolstering her Spanish-speaking skills with all her work in the language and carrying a company badge.

For his secondment in 2011 with an energy company, Lance Ream, a partner with Gordon & Rees in Denver, said he split his time working with the firm and working on-site with the company's legal department.

Any language barriers aside, there is a cultural difference between how law firm attorneys approach their practices and how in-house counsel make their daily decisions. As outside counsel, Ream said he typically thinks of the in-house counsel as the client. But in-house counsel have their own clients to think about.

"It was a matter of perspective I thought was valuable," Ream said. "One, just learning more about the company was incredibly helpful. Two, seeing how on the in-house side of things, they are thinking of things differently than outside counsel. They're thinking about how the legal component fits into the bigger business view."

"It was largely just a new perspective, frankly, I don't otherwise know how I would have been exposed to," he added.

Jim Fipp, a senior associate with Hogan Lovells in Denver, also signed onto a secondment program with the WhiteWave Foods Company to fill a vacancy as it began a search process for a senior mergers and acquisitions attorney. Since the company needed someone right away to help in the legal department, he worked with the client for six months during his fifth year.

Fipp said he found similar value in the gained insight into what exactly motivates an in-house attorney, calling the experience "invaluable." While he was picking up skills simply by furthering his experience, he also saw what motivated the client during a merger from a business perspective, an insight not always obvious until you're working with attorneys in their own house.

"A lot of attorneys think of that (going in house) as a good career path, but it's hard to know what that looks like unless you've been in that role," Fipp said. "You realize there may be a difference between what drives their decisions versus what you might think drives their decisions. As an attorney (and outside counsel), your concerns may not be their concerns."

More than just a means to fill empty seats, Fipp said secondment programs create a valuable channel to build on client relationships. His placement at WhiteWave helped the company fill a personnel void, but it also helped him establish a stronger relationship with the client. While his firm had a strong connection to the food company on regulatory matters in Washington, D.C., there was not much of a local relationship, he said.

"For the firm, I don't think it's a bad thing even if you're losing good people because they're going to a client where they continue to build a relationship as a part of that placement," Fipp said. "And if you don't lose the person, the firm still has the opportunity to develop and grow that relationship."

Ream said his sense is that the practice is not as popular as it was during the seismic shifts in the law and economy from the economic crisis and other market movers from years ago. A larger legal profession might minimize its existence and popularity as well, he said.

While she says she is happy where she is at her firm, Tobón said she has a clearer picture of what working in-house with a legal department looks like and the experience would probably boost her resume to the top of the pile if she ever considered going in-house.

"If the situation is right, it's a win-win for the firm and the company," Tobón said. •

— Hannah Skewes, HSkewes@circuitmedia.com



Jim Fipp
HOGAN LOVELLS
SENIOR ASSOCIATE

"You realize there may be a difference between what drives their decisions versus what you might think drives their decision."



Lance Ream
GORDON & REES PARTNER

"It was largely just a new perspective, frankly, I don't otherwise know how I would have been exposed to."



Camila Tobón
OF COUNSEL WITH
SHOOK HARDY & BACON

I think, definitely, being in house is very different than being with a firm. Secondment gives a view of that.