



## **The Ascent of Millennial In-House Counsel**

**Employment and Labor**



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MILLENNIAL

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COUNSEL



## CHEAT SHEET

- **Millennials.** The millennial generation includes individuals born between approximately 1980 and 2000.
- **Workforce composition.** Millennials comprise over 20 percent of the legal workforce.
- **Common traits.** Millennials are considered to be tech-savvy, proponents of innovation and challenging the status quo, and interested in community involvement. They can help businesses modernize, improve branding, and relate to younger clients.
- **Retention.** To retain millennial counsel, companies should consider being transparent about organizational goals, outline paths to leadership and provide opportunities for upward mobility, boost diversity, and support flexible work schedules

Millennial attorneys have started to enter the corporate in-house world, and their numbers are rapidly growing. For some older in-house attorneys, who have never experienced working with millennials, and who may have only heard rumors about bad work habits and sense of entitlement, the arrival of

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millennial in-house counsel may seem like an end to their work environment as they know it. This article will set everyone's mind at ease.

With the arrival of millennials, today's corporate legal departments often have four generations of lawyers working together. To say that these four generations are quite different would be a gross understatement — they think and operate differently, and they are driven and motivated by different values. But that's not a bad thing. Legal departments can, in fact, benefit from this generational diversity.

## **Meet the four generations**

The traditionalists, born before 1946, lived through the Great Depression, World War II, and the Korean War. They are typically very loyal to their employers, have a strong work ethic, are most comfortable with formalities in the workplace, on the telephone, and on the printed page, and are eager to mentor younger lawyers and to leave a meaningful legacy.

The baby boomers, born between approximately 1946 and 1964, lived through the Cold War and grew up during the dawning of the US Civil Rights Movement. They value loyalty, authority in the workplace, hard work, including long hours, and are often motivated by financial success. As they age, the baby boomers are choosing to postpone retirement even as they start to search for a greater work-life balance.

The Generation Xers, born between approximately 1965 and 1980, were raised in families with two working parents, witnessed the rise of divorce rates, and as a result, were often left to their own devices. These experiences shaped them into independent, rely-only-on-themselves, entrepreneurial individuals who are not huge fans of teamwork. They do not typically have the same institutional loyalty as generations before them, and do not have the same respect for rules and authority. Generation Xers usually are not motivated by money. Instead, they value professional development and work-life balance.

The millennials, born between approximately 1980 and 2000, grew up witnessing the rise of terrorism and school shootings. Their childhood days were meticulously planned out by their "helicopter" parents, with playdates and extracurricular (mostly team) activities. They also grew up immersed in technology. In fact, young millennials may barely remember the world without cell phones, text messaging, the internet, or social media. So, who did these children of younger baby boomers and older Generation Xers grow up to be?

The number of millennials in the workforce is growing rapidly, with no slowdown in view. Overall, millennials comprise over 20 percent of the legal workforce. The oldest millennials graduated from law school around 2004–05. By now, many who joined law firms have reached the partnership ranks. An increasing number of them, however — having spent several years billing long hours as outside counsel — are making a transition to corporate in-house positions. These new in-house millennials are more mature and responsible as they become parents. They are moving to the corporate world for a reason. And that reason is that the corporate world is where they want to be — mainly because it aligns with their value framework.

That was exactly Meyling Ortiz's reason for leaving a law firm she loved for an opportunity to go in-house with Toyota Motor North America. She left private practice the very year she was up for shareholder. "Yes, part of it was wanting to spend more time with my daughter Olivia, who was only a few months old when I returned after maternity leave," she says, "but it was also the drive to want

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to be a part of something bigger than myself — beyond billing.”

## Perception adjustment

Many non-millennials have their own ideas of what millennials are like. Thomson Reuters surveyed 150 corporate attorneys in 2018 to learn about their perceptions of millennials.

Their findings included:

- Seventy-four percent of respondents said they thought that millennials would bring about advancements in technology in their legal departments faster than previous generations;
- Seventy percent of respondents believed that millennials wanted to be involved in the decision-making processes; and
- Seventy-six percent of baby boomer and Generation Xer respondents believed millennials would stay in their current jobs for less than five years, while only 38 percent of millennial responders agreed with that statement.

Here is what you need to know. Generally, millennials:

- Are casual in the workplace and dislike formalities, yet are deeply serious and passionate about their work;
- Value challenging and meaningful work over financial rewards;
- Want to impact decision-making processes;
- Desire instant, continuous, and preferably informal feedback;
- Want to be heard and valued;
- Are vocal about what they want;
- Refuse to work for the employer whose values do not align with their own;
- Value and understand the importance of diversity and inclusion in the workplace;
- Will not compromise their work-life balance, wellness, and time with their family and friends;
- Value continuous professional development;
- Want to work where they can be their “authentic” selves;
- Will seek out opportunities for advancement sooner than other generations;
- Respect older generations and want to learn from them;
- Are more than willing to share their technological knowledge with others in the workplace;
- Are comfortable with change; and
- Will be loyal to the employer that checks most of their must-have items.

## What are the unique aspects of millennial counsel? And why should you welcome them to the table?

Yes, millennial counsel are very different from attorneys of other generations, but many of those differences are actually good. I’ll elaborate.

- **Millennials are tech-savvy.** Not only can they help you figure out the peculiarities of the latest version of your matter management software, but they can also help you pick the best technology for your department as your tech needs evolve.
- **Millennials are innovation geeks.** Millennials enjoy and crave change, and thus love innovation. They understand and want to support your business clients who are pushing for more innovation. Capitalize on that. Millennials speak the innovation language and can

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quickly become your most forward-thinking clients' trusted advisors. Facilitate these partnerships and then watch the "magic" happen.

- **Millennials challenge the status quo.** They are less likely than older generations to accept that things should be done the way they have always been done; and while this may appear to be disrespectful of authority or tradition, it is really about efficiency and innovation. Millennials challenge others to think about more efficient, less time- and resource-consuming, and more cost-effective ways to get to the finish line.
- **Millennials can better relate to your younger business clients.** Business people sometimes forego consulting their in-house counsel, because they feel intimidated by attorneys. Such intimidation is even more prevalent when business clients are much younger than the in-house lawyers. With your client base becoming younger and more millennials moving into leadership positions in business, your millennial counsel can help your legal department better relate to those younger clients.
- **Millennials can help "modernize" your outside counsel.** Millennial lawyers expect their outside counsel to be technologically savvy and to have the best tools to do the job. Plus, they are vocal about their expectations. This will push your outside firms to invest in new technology and stay on top of leading trends in the legal industry (think data mining, chatbots, and other uses for artificial intelligence).
- **Millennials can be the best brand marketers for your organization and legal department.** They are masters of social media and community involvement. As a result, they are highly "visible." Many millennials are excellent promoters of their employers' brands. They can be the promoters of your legal groups as well. Is your legal department doing noteworthy pro bono work? If so, you better believe that your millennial counsel are highlighting your group's efforts on professional social media channels. You get the point. Get your millennials to respect your brand, and they will sing praises to it everywhere they go — literally and virtually.

## How to retain millennial counsel

Now that you've perhaps come around to being excited about having millennials on your legal team, how do you retain them, and grow their loyalty to your organization?

- **Become more transparent about the goals of your legal department.** Millennials need to understand the big picture. What is the main function of the legal department? What role does your legal team play in the overall organization? How do you interact with your corporate clients? Answer these questions clearly and emphasize the mission and goals of your department often.
- **Explain how the work of millennial counsel fits into the big picture.** Millennials value meaningful work and have an innate desire to know that what they do on a daily basis or their part of the project contributes to the greater goal of your department. Explain the "why" behind their work and how it contributes to the big picture.
- **Speak openly about the pathway to leadership.** Millennials are considered to be less patient than older generations, especially when it comes to professional advancement. That being said, they are willing to wait and work toward a goal if they clearly understand the path to a leadership position. Be transparent about how many years this path may take, what steps would need to be taken, and what development would be required to get there. Stay silent on this topic and watch your millennial counsel jump ship to a different employer.
- **Walk the walk when it comes to diversity.** Diversity matters to the millennials. Millennial attorneys are more diverse than attorneys from previous generations, and they want to see their employers adopt diversity and inclusion as one of their core values. According to the

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2016 survey conducted by the Institute for Public Relations in collaboration with the engagement firm Weber Shandwick, nearly half of the millennials value diversity and inclusion in work environments. Set diversity and inclusion as one of your department's strategic goals — not just for in-house counsel and leadership, but also for outside counsel and vendors with whom you work. Millennials will generally be more loyal to employers if they see professionals of their gender and/or ethnicity in leadership positions.

- **Let your millennial counsel spread their wings.** Millennials want to be significant contributors. Encourage them to speak up with their ideas and to challenge the status quo; they may surprise you with innovative proposals and approaches. But don't just stop there. Let them lead a project or oversee a deal. Do not assume that the millennials' younger age equates to lack of ability or confidence. Millennials are more than ready and eager to be the lead on anything, given an opportunity. Empowering the millennials will inspire them to grow and to contribute to your organization in innovative ways.
- **Provide your millennial counsel opportunities to shine in front of your key corporate clients.** Next time you need to train your executives or garner their buy-in, allow your millennial to take the lead. Give millennials opportunities for internal exposure, and you will likely be pleasantly surprised by their level of professionalism and impact. Such exposure opportunities will not only boost their confidence but will also help them develop relationships with some of your most important corporate clients and start earning their trust and respect.
- **Allow them flexibility in how they work.** Let's be honest — one of the main reasons millennial lawyers are attracted to corporate in-house positions is because of their inherent desire to have a better work-life balance and not have to bill hours. And that means having some flexibility in how they structure their days. They are professionals, after all. So, treat them that way. Requiring them to be at their desks all day for the sole purpose of facetime will not make them better at their work or produce stronger deliverables. On the contrary, that will dampen their creativity and suppress their innovative juices. Millennials need to be inspired, and some flexibility — in how to work, where to work, and when to work — helps achieve just that.
- **Offer them mobility within your organization.** Mobility does not always have to be upward. Your millennial counsel would likely appreciate the opportunity to rotate to a different group in your legal department. Yes, this may create some extra work, but the benefits both to the millennial and the department would, in the long run, greatly outweigh any inconvenience. In our fast-paced business environment, don't you want your in-house attorneys to be flexible and easily adaptable to any condition? Nothing creates such qualities better than rotational opportunities. Plus, I cannot overstate the importance of building relationships across functions within your department. Better yet, create opportunities for your millennial counsel to rotate out of your legal department and into a business function. This rotation does not need to be long-term; a simple opportunity to work on a short-term project outside of their usual area, and outside their comfort zone, will boost their morale and make them more committed to the mission and goals of your organization.
- **Give them better technology.** It's certainly not a secret that millennials are spoiled when it comes to technology. They grew up immersed in it and are often the first ones to try the newest technology releases — whether it's the latest smartphone, app, or electronic note-taking device. Many millennials geek out on the newest technological stuff. Try not to disappoint them. Give them the technological tools — devices, software, virtual meeting capabilities — that will make them feel proud and excited to be a part of your organization. Keeping up with technology comes with a hefty price tag, but it is definitely a worthwhile investment.
- **Support their eagerness to do pro bono and community service work.** For millennials, being responsible community members means giving back to the communities where they

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live and work. Financial gifts are not enough. Millennials want to give their time, their expertise, and their passion for causes they find important. Do you have a pro-bono program within your legal department or a volunteer program within the company? Plug your millennial counsel in. If there is no formal program in place, encourage your millennials to get involved with pro bono projects on their own and allow them time during the workday to do that. Your local ACC chapter offers a great variety of pro bono opportunities that they would be easily able to jump into. In addition, many millennials choose to join boards of directors of various nonprofit organizations. Support those efforts, as the relationships they establish and the experiences they gain through these engagements will not only develop them into greater leaders of tomorrow but will also benefit your organization.

- **Show that you respect and value them, their full identities, and their families.** Are your legal department members comfortable in displaying their family photos and openly talking about the challenges of raising kids? Are they bringing their same-gender partners to the department-sponsored events? Be the employer that respects and values everyone. *Millennials, with their desire to easily transition from work to personal life and back, do not want to have to be “different people” in separate, but sometimes overlapping, spheres of their lives.* In addition, the rise of social media has allowed everyone to be more transparent about who they are and how they live, so you will attract and retain more millennials if you welcome them as they are.

## How to develop millennial counsel

Of course, like any other generation, millennials come with their own shortcomings. Consider these ways to help them overcome their challenges.

First, while baby boomers typically have excellent in-person people and client relationship skills, millennials can be lacking in that department — often preferring written or electronic communication. But business often involves face-to-face client interaction. To meet this need, coach them on effective traditional people and relationship skills. Allow them to shadow you when you meet with your business clients and encourage them to have more in-person meetings with their own clients.

The more time they spend having in-person interactions with others, the better they will become at skills involving emotional intelligence — the ability to identify and manage their own emotions, as well as to identify and influence the emotions of other people. In the meantime, you may want to consider educating everyone in your group on how to build their interpersonal skills and how to become better communicators and negotiators.

## Resources for millennials (and non-millennials) on how to become better communicators

There are numerous tools out there to help members of your legal department improve their communication skills.

### Read

- *Beyond Smart: Lawyering with Emotional Intelligence*, by Ronda Muir, is a comprehensive guide explaining the essence of emotional intelligence and its significance in the practice of law. It provides practical tips on how to raise your own emotional intelligence.
- *Crucial Conversations: Tools for Talking When Stakes Are High*, by Kerry Patterson, Joseph

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Grenny, Ron McMillan, and Al Switzler, offers tools to manage highstakes conversations, including how to be persuasive and in control of one's emotions.

- *The Definitive Book of Body Language*, by Barbara and Allan Pease, provides insight on how to read non-verbal cues of others and how others may be reading you.

## **Take a personality test**

One of the main keys to becoming a better communicator is understanding your own personality and communication style. While personality tests are not perfect, they can help you understand yourself better — everything from what makes you tick to how you interact with others. Check out the [Myers-Briggs Type Indicator® \(MBTI®\) assessment](#) for starters.

## **Participate in a workshop on professional communication**

You likely have star communicators in your legal group or among your executives. Invite them to do a workshop on ways to be more effective communicators with an interactive element to give your millennials and non-millennials an opportunity to put their newly-acquired knowledge to practice.

## **Take negotiation training**

Don't stop at helping your team become better communicators. Give them the tools to become more confident and skillful negotiators as well, and you'll reap great benefits! With many courses to choose from, consider [KARRASS](#) that offers seminars around the country, as well as customized inhouse programs.

Throughout their careers, millennials expect and need clear schedules and firm deadlines. Growing up, millennials' lives were carefully curated by their parents and caregivers. As a result, they grew up into professionals who need a bit more direction than previous generations. How can you help? Set the project schedule and deadlines early on, check in periodically to chat about progress and challenges, and offer project management education if needed.

## **Educating non-millennials about millennials**

Now that you know how to keep your millennial counsel happy and loyal to your organization, as well as how to help develop them, here are some ideas on how to assist other generations to better connect with millennials.

First, host a lunch-and-learn for your senior leaders to discuss challenges and opportunities of working with millennials. Millennials are inevitably joining and rising in the workforce, so counsel from other generations need to learn how to build relationships with them now. Listen to, and acknowledge, the older attorneys' concerns about the clash of generations, and follow up with any younger lawyer who might be struggling to fit into your company's legal culture.

As part of this effort, encourage formal or informal mentoring outside of established hierarchical relationships. Millennials want to learn from other generations, and other generations can benefit from interacting with millennials. It's truly a win-win proposition.

To further these relationships, talk to your department leaders about sponsoring millennials. While the goal of both mentors and sponsors is to support you in achieving your legal and business aims,

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the mentors' main role is to be an advisor, while sponsors are your advocates who promote you and help you become more visible in your organization or in the community. Urge your leadership to take a step beyond mentorship and to consider being a sponsor and a champion for your millennial counsel. This will help foster relationships among your attorneys of different generations. At the same time, it will make millennials more connected with your organization.

As part of these relationships, encourage your traditionalists and baby boomers to pass on their insight, expertise, and historic organizational knowledge to your millennial counsel. Older generations tend to “hoard” their professional knowledge and are often reluctant to share it with younger generations, presumably in fear of being replaced. However, older attorneys — as leaders of your legal department — need to realize that timely knowledge transfer to younger attorneys is essential to ensure the long-term success of your organization. The quicker this realization sets in, the easier it will be to maintain your business clients' trust in your legal department.

Finally, start getting serious about succession planning for your legal group. According to a 2017 Thomson Reuters survey, only 26 percent of the legal departments surveyed had a succession plan in place. Yet succession planning is not just for law firms. Being prepared for the future is essential to maintain continuity in a world of disruptions and unpredictability. Millennials can be groomed and prepared to take the reins when their time comes.

The bottom line: Millennials are a part of your legal department, and it's time to take them seriously. It's also important to make them welcome and to help them succeed as an integral part of your team. After all, they are your future legal leaders.

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## **Further Reading**

[Christopher Imperiale, Attracting and Retaining the Millennial Lawyer, Law 360, January 19, 2017](#)

[Harnessing the Power of Millennials in the Workplace](#)

[Weber Shandwick, Diverse, Inclusive Workplace Important to Millennials, Business Facilities, December 6, 2016.](#)

[The Generational Shift in Legal Departments \(PDF\)](#)

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