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Looking to Move Up? 6 Warning Signs for In-house Counsel

Law Department Management

Skills and Professional Development

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It's human nature to want to be successful. For many in-house counsel, this means climbing the ladder in their current organization.

Promotions, increased pay, and new responsibilities. Recognition by colleagues, executives, and others within and outside the enterprise. A sense of pride and fulfillment. You're not alone if you're seeking these markers of success.

Yet, achieving success often seems elusive despite your excellent performance and best efforts. You may feel like you're battling obstacles outside your control.

Whether you've just joined an organization or been toiling away for a while, you owe it to yourself to gain a realistic understanding of your potential for advancement.

The following warning signs may indicate that short- or long-term advancement is unlikely or highly unlikely.

1. Senior colleagues hoard high-profile work.

It's a bad sign if the general counsel (GC), deputy general counsel (DGC), associate general counsel

(AGC), or other senior lawyers don't delegate or involve you in projects, briefings, or other matters that entail working directly with the C-suite, board of directors, or other high-ranking internal clients.

You may find yourself hearing about significant projects after the fact. Or you may find that when you offer to pitch in on current or future projects, you receive a noncommittal reply or one that sounds positive but is never acted upon.

As a result, you'll have reduced opportunities to hone your substantive skills and executive presence. Critically, you'll miss out on chances to build political capital with top decisionmakers. Relatively unknown to executives, you may be promoted slowly, if ever; receive lower pay increases; and be more vulnerable to termination as part of corporate restructuring initiatives.

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2. Your supervisor doesn't strongly support you.

Effective supervisors fulfill consequential roles, including guidance, mentorship, and advocacy. Collectively, these roles help a direct report to survive and thrive.

What are some examples of an unsupportive boss? Take note if your supervisor exhibits any of these unsupportive behaviors:

- Focusing attention almost exclusively upon tactical projects;
- Seldom, if ever, discussing specific plans for your professional growth and advancement;
- Offering limited or no coaching to help you improve skills or navigate challenges within the enterprise;
- Putting little thought and effort into your performance appraisal;
- Not advocating with management for compensation increases or bonuses consistent with your performance;
- Showing little interest in getting to know you as a person;
- Monopolizing interactions with senior management; and
- Otherwise operating with a scarcity mindset.

An unsupportive supervisor likely will stifle, if not fully impede, your aspirations to move up.

3. Your organization tolerates weak leaders.

Look around your in-house team and client teams. If you see leaders or managers who are quietly viewed as mediocre, toxic, or uncollaborative and yet have been around for years — maybe even promoted multiple times — you have good reason to be pessimistic about your prospects for advancement.

Root causes for retaining poor leaders include lack of sufficient outside oversight of the legal function, a dysfunctional office culture that gives bad actors cover, and general counsel who are detached, averse to addressing conflicts, or unwilling to expend their own political capital in service to others.

No matter the cause, the clear takeaway is that your organization doesn't prioritize effective leadership. As such, you may find that your own leadership talents won't be highly valued, let alone noticed among the pack. You even may be undermined directly by a toxic leader with friends in high places.

4. Goals and objectives are murky.

Many in-house teams excel at acting reactively in response to daily needs of the enterprise. However, to deliver more substantial impacts, an in-house department should articulate goals and objectives for both the wider team and each team member and then act accordingly.

Goals are broad, aspirational purposes or outcomes, while objectives are specific, measurable, and time-bound actions for achieving those goals.

Without meaningful goals, objectives, and follow-through, people commonly get consumed by tactical work. Bold thinking, methodical action, frank accountability, and recognition for achieved results may arise incidentally rather than programmatically or may be wholly absent.

In such an environment, it may be challenging for you to distinguish yourself in ways that could facilitate your upward mobility.

5. Your compensation is below market.

Sometimes rapid growth creeps up on enterprises and their in-house teams, resulting in notable disparities between actual team compensation and market compensation. Other times, general counsel or chief legal officers intentionally decide not to lobby for market-level pay for team members, believing that tighter budgets will score points with business leaders.

Consider it a red flag if you're being underpaid and no concrete actions are being taken by team leaders to rectify the situation. Failure to act may telegraph that your contributions aren't deemed valuable or that your organization doesn't believe in compensating its employees at market levels. Either way, you may pay a short- and long-term price.

> To maximize your chances of succeeding within your current organization, you'll need to delicately and deftly navigate interpersonal and organizational dynamics.

6. You have no defined career path.

No matter their size, some in-house departments treat career progression as an afterthought.

In such departments, people typically only are promoted on an ad hoc basis, including when:

- It dawns upon a manager that a team member has been employed by the enterprise for a long time and has done a commendable job.
- A team member approaches their supervisor and successfully makes the case to be promoted.
- An attorney who acted as an individual contributor is asked to begin managing others due to department growth.
- A merger, acquisition, or restructuring event warrants a promotion.

Such departments may lack a written framework that clearly defines career pathways and sets team member expectations. Others may have drafted a written framework that looks good on paper but in reality is just collecting dust. In either case, the organization doesn't actively drive professional development and promotion of worthy individuals.

Without a defined career path, your trajectory within your enterprise may be uncertain or circuitous.

Succeeding despite the warning signs

What should you do when facing one or more of the warning signs above?

To maximize your chances of succeeding within your current organization, you'll need to delicately and deftly navigate interpersonal and organizational dynamics.

This may include pursuing tactful discussions with leaders to express your ambitions, observations, and concerns and request their assistance and intervention. This can be part of an overarching strategy to manage up, in which you foster a positive working relationship with leaders to help identify and realize shared goals.

You can take other proactive steps to benefit your organization and yourself. Delivering excellent results, consistently showing initiative, innovating to improve the status quo, and building strong connections with internal clients are likely to throw welcome attention your way.

Ideally, such efforts will help you to successfully climb the ladder.

Nevertheless, no steps you take internally can fully protect you from shifting winds and surprise storms in your organization. Therefore, always be prepared for the unexpected. By networking externally, curating your professional brand, acquiring transportable expertise, and embracing outside learning opportunities, you'll have stronger legs to stand on if you decide to jump ship or are forced out.

Ultimately, your career and your career choices are your own — you get to decide what success means to you. If advancement seems unlikely or far off and you're dissatisfied with your current employer, consider plotting your exit strategy. With selectivity and a bit of luck, you may find yourself working in a high-functioning team in which your talents are more highly valued by the organization and nurtured by effective leaders.

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Carlo Cotrone is an IP consultant, attorney, and former chief IP counsel and law firm partner with 25 years' experience. At Quartal IP, he helps corporate legal departments, boards of directors, and executive teams drive stronger business outcomes through proactive IP strategies, operational stewardship, and leadership development.

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