

5 Steps to Move from a Litigation to Generalist Role

Career Development





It can be a challenge for a litigator to expand their in-house responsibilities to cover other parts of the business. Having started my legal career as a law firm litigator, this is something I've faced and overcome. Since my previous litigation column for *ACCDocket.com*, I have taken the role of general

counsel and corporate secretary for Zix, making my transition to generalist complete.

My roadmap focused on developing a business mindset, a professional reputation outside the company, and the necessary legal skills. These keys to success can be found in renowned GE General Counsel Ben Heineman's book Inside the General Counsel Revolution. In fact, these are great ways to make yourself an instrumental member of the business's trusted legal team.

To stand out in your team, Heineman urges GCs to focus on business and corporate growth with integrity. A generalist in-house counsel, he says, must fuse "high performance with high integrity and sound risk management" by optimizing the legitimate interests of shareholders, employees, and other stakeholders while having "robust adherence to the spirit and letter of the formal rules" of law. This is different from fixating on winning litigation efficiently.

Monitoring "robust adherence to the rule of law" was something that came naturally to me. What I needed was to learn what high performance meant and how to balance conflicting instincts often associated with performance (i.e., get it done) versus integrity (e.g., due diligence). The following activities helped me achieve the required mindset.

1. Attend business meetings

Business meetings are where strategic corporate decisions are made and where you can make an impact. If you can't join your company's executive meetings, find meetings elsewhere. Set up your own by taking sales and marketing leads out to eat. You can attend a local meeting of startup business leaders or a chamber of commerce event. These meetings helped me shift my perspective to business.

2. Expand your business knowledge with added reading

Smart business people exchange books like little kids exchange trading cards. On my first day as GC, my CEO boss shared four of his favorite books on my first day as general counsel. And I returned the favor by suggesting some of my own.

3. Take business-oriented roles

If you see an opening at your company, sign up for a business project outside of your usual responsibilities. In particular, take advantage of opportunities involving M&A and business development. These types of activities help you learn the challenges your business faces, expand your relationships with business leaders, and enable you, as general counsel, to contribute ideas while mitigating risk.

4. Build your reputation

If people only think of you as a litigator, it can be difficult for them to trust you on a serious strategic issue. Thus, to build your colleagues' confidence in your strategic abilities, you need to first build your professional brand as more than a litigator. Heineman suggests the following ways to do this outside your company, such as gaining experience in:

- Attorney general's office;
- Court;

- Government office or agency;
- Leading law firm partner;
- Bar activities;
- Speaking, teaching, or writing; or
- Distinguished service as inside counsel at another company.

I further recommend volunteering with a nonprofit and regularly sharing ideas and articles through a social media presence.

5. Improve your legal skills

Broaden your expertise in order to transition from litigation. Heineman identifies the following areas where a GC can "create value and competitive advantage":

- Conducting due diligence;
- Negotiating the legal terms of key contracts;
- Simplifying contract templates;
- Supporting product development;
- Reducing outside legal costs;
- Achieving public policy measures;
- Heading IP management; and,
- Overseeing litigation.

You can explore additional training to gain experience in these various areas and others that are important to a GC, even if you are not in a role that requires the specific skill. Certification programs can be especially helpful. Below are professional organizations that offer trainings, which I have used and am familiar with.

- ACC provides several training opportunities, including monthly web presentations, a new certification program, and a Mini MBA for In-house Counsel program.
- Ethics and Compliance Initiative offers the Leadership Professional in Ethics & Compliance (LPEC) certification for managing an anti-corruption compliance program.
- Society of Corporate Secretaries and Governance Professionals has Essentials training for the corporate secretary role.
- Practicing Law Institute hosts one-day seminars and provides information on various topics.
- Law firms regularly provide training on top-of-mind issues.

This article is just the stepping stone on your path to a generalist role. There are more opportunities — both in and outside of your office — if you dedicate the time and take the initiative.

Further Reading

Inside the General Counsel Revolution, pages 15-16, 61, 70.

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Noah Webster is chief legal & compliance officer for Everbridge, a global software company that empowers enterprises and government organizations to anticipate, mitigate, respond to, and recover stronger from critical events. In today’s unpredictable world, resilient organizations minimize impact to people and operations, absorb stress, and return to productivity faster when deploying critical event management (CEM) technology. Everbridge digitizes organizational resilience by combining intelligent automation with the industry’s most comprehensive risk data to Keep People Safe and Organizations Running.