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Secondment Firms Provide an Innovative and Practical Solution Enabling In-House Legal Teams to Staff Flexibly, Efficiently, and Cost-Effectively

By Randi Rosenblatt

Introduction

If you are an in-house lawyer facing ever-changing compliance demands, struggling to prioritize business needs, feeling constrained by headcount and a restricted budget, or realizing that each day brings a new hat that you are expected to wear, you may find comfort in the fact that you are in good company. In-house lawyers are increasingly overwhelmed, trying to balance these, and many other, competing demands. In turn, in-house lawyers are seeking more services from outside vendors, including alternative fee arrangements, new technology offerings, external compliance solutions, and much more. Secondment firms are another innovative solution frequently used by in-house legal teams—specifically, they address the ongoing need for flexible, cost-effective and efficient legal staffing support. Secondment firms are companies that hire well-trained, experienced lawyers to work on temporary engagements at in-house legal departments. The lawyers hired are W-2 employees of the secondment firm yet their substantive work is supervised by the in-house legal department. Law firms also use the services provided by secondment firms but generally on a more infrequent basis. In addition to the advantages secondment firms provide to clients, they have also proved to benefit those attorneys who work within the model.

Benefits of the Secondment Model

Secondment firms were created to fill gaps in the marketplace in ways that complement and, at times, replace the options provided by law firms, other legal service providers, and in-house legal teams themselves. By providing high-caliber attorneys to clients at discounted rates (and employing those attorneys while also providing them with a robust benefits package), without requiring an ongoing commitment, secondment firms impart an attractive alternative for in-house legal teams focused on decreasing their legal spending without compromising work quality. Secondment firms often provide lawyers to fill in for parental leaves, assist during reorganizations or hiring freezes, provide niche expertise, aid with shifting workflows, supplement legal teams when new regulations emerge, and assume intensive project work when employees are too busy to handle. Secondment firms also enable companies to work with an attorney on a trial ba-

sis, through an “extended interview,” so the company gets its immediate staffing needs addressed while also assessing whether to hire the attorney permanently.

The benefits that the secondment model provides to in-house legal teams are measurable, which helps explain why the model continues to grow. Listed below are some of the benefits that in-house legal departments have enjoyed by using secondment firms:

- staffing up and down as needed, with maximum flexibility and without the need for workload foresight;
- providing a more cost-effective alternative to outsourcing work to law firms;
- accessing top legal talent at flat weekly rates that are reasonable and predictable;
- avoiding employment risk, as well as the costs and concerns associated with employment; and
- handling the time-consuming task of sourcing and vetting appropriate talent for temporary work.

Sourcing Secondees

For many years, companies have taken advantage of opportunities to “second,” or borrow attorneys from outside law firms. Law firm secondments can be successful when the seconded lawyer is talented and has prior knowledge of, and experience with, the client and is able to join the client temporarily and instantly provide invaluable support. In practice, however, not all law firm secondments are successful. Many law firms view secondments as merely a favor to a client with the hope of strengthening that client relationship, often at a financial loss to the firm. Therefore, some law firms are reluctant to provide their “best” attorneys as secondees, as those attorneys will no longer benefit (and bill) other firm clients, and many firms also fear that their best talent will then get poached. When a secondment need arises, companies are, therefore, increasingly turning to secondment firms that can access top talent, across jurisdictions and practice areas, who squarely fit the need of the company, for as long or as short as the company needs, without an ongoing obligation of any kind.

Attorneys Operating in the Secondment Model

An additional treasure of the secondment firm model is that it has created a market for attorneys to do high quality work on their own terms. The model embraces lawyers with non-linear paths as well as those with more conventional careers. A secondee may be an entrepreneur looking to take on small projects as she launches her business, or a hopeful author writing his first book and seeking legal work as he aims for publication, or a law firm lawyer hoping to gain in-house experience to become more marketable. A secondee may also be a retiring general counsel who wants to phase into retirement rather than retire outright, or a lawyer who relocated or is seeking to reinvent, or a re-entry mom who took a few years off and wants to return to the practice of law. Regardless of the attorney profile, secondment firms have created a market for attorneys to practice law in alternative ways that suit their varying needs, making for happy clients and happy lawyers.

Conclusion

Secondment firms consistently satisfy the varying needs of in-house legal teams by enabling them to staff

flexibly, efficiently, and cost-effectively. They also meet the needs of many attorneys who have an interest in practicing law in a non-traditional way. Since secondment firms are, by their nature, innovative, they are always developing ways to further benefit their clients. With secondment firms focused on meeting the ever-changing needs of the market, their growth can only continue.

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