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**DIVERSITY**|IN ACTION

## Strategy First

Preparing to **take a break**, and countering **perceptions** of **passivity**.

**BY KATHERINE FRINK-HAMLETT**

**I** am the mother of 14-month-old twins and a fifth-year corporate associate with a global law firm based in New York City. I've been able to manage the constant juggling but it's increasingly a struggle and the challenges are becoming more difficult to handle. Even with a nanny to assist, time is always at a premium (there's never enough) and I feel like I am missing huge chunks of my children's development.

I know that I can play superwoman and have both career and family but the act is not working for me. So after months of soul searching, I have made the decision to take a break from the practice of law for a year or two so that I can be a full-time, stay-at-home mother.

While I am extremely excited about my decision, I am also concerned that it will adversely impact my career. I look forward to being with my children but also know that I eventually would like to return to the practice of law. What should I do to make sure that I can get a job after my break?

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Stay connected. Keep in touch with your practice skills and professional contacts as both will help fortify your ability to obtain employment and transition back into your career.

If you haven't done so already and assuming that it's a viable option, you may wish to discuss part-time or flex-time arrangements with your current employer. If, however, you're not interested in a reduced work schedule, then make sure to have a candid discussion with the partners in your department so that they fully understand the reasons why you are taking a sabbatical. Definitely let them know of your interest in returning to practice and specifically leave the door open to being reconsidered for employment at the firm when you are ready to return. Although, it's unlikely that your current law firm will guarantee the availability of a position after your hiatus, it is certainly advantageous and strategically smart to disclose your long-term interests.

Lately, there has been a great deal of buzz surrounding the concept of re-entry: returning to a profession after considerable time away. In the legal profession, the issue is almost exclusively applicable to women,



PHOTOGRAPH BY RICK KOPSTEIN

many of whom temporarily leave the profession for family reasons similar to yours and are now seeking to make a comeback. According to the Center for Work-Life Policy, nearly 42 percent of women lawyers take time off from practice (apart from maternity leave) for an average of three years.

A lot of the current re-entry discussion pertains to returning lawyers who had not considered rebooting their career at the time of their initial departure and are now faced with the uphill battle of proving their worth. In your case, however, you have the tremendous advantage of planning your re-entry strategy before you come back on the scene. Deborah Epstein Henry, President and Founder of Flex-Time Lawyers, stresses that “[f]or lawyers considering leaving the practice, they should reflect and assess before giving notice.” The three main concerns that

Henry hears from women attorneys considering a hiatus are 1) post-hiatus marketability; 2) feeling inadequate as a stay-at-home mom; and 3) suffering adverse monetary and qualitative repercussions for taking time off.

In order to minimize undesired consequences, Kathleen Brady, principal of the career development training company Brady & Associates Career Planners, and the outplacement firm of Kanarek & Brady, suggests that your assessment strategy should include keeping up (and in some cases, brushing up) on your practice knowledge and skills. Be sure to regularly read legal publications like the New York Law Journal in addition to trade magazines pertaining specifically to corporate finance matters. Brady considers that five to 10 minutes of daily review will keep you in the loop. Of course, you should feel free to spend more time if your schedule permits, but the main point is that this activity is not overwhelming and can be seamlessly integrated into your daily routine.

Before your hiatus, identify one or two major conferences and/or CLE courses to attend and make sure that you actually go. Your arrangements should be made early on so that child care and other coverage concerns do not impede your attendance. Being a stay-at-home mom for a year or two does not have to be a disappearing act.

Brady emphasizes that even though you are not actively engaged in practicing, you are still a professional who just happens to be taking a circuitous path. In that same vein, make sure that you stay in touch with your professional colleagues, especially the attorneys at your soon-to-be-former employer. An e-mail here, and a lunch or dinner there, will minimize the risk of you becoming an afterthought. It also will enable you to stay current and fresh, particularly as it concerns inner circle dynamics

that rarely make the legal publications but are nevertheless relevant to marketplace conditions.

When you are ready to re-enter, be prepared to describe your hiatus both on your résumé (keep it simple) and in person. Brady emphasizes that “it’s all in how you tell the story” and that your story should never be apologetic or in any way minimize your at-home experience. Stay away from phrases like “I was just an at-home mom” and instead focus on activities that demonstrate your organizational, management and negotiation skills. If you coordinated a volunteer activity, be sure to explain your successes and any obstacles that you overcame. Don’t forget to share how you stayed in the loop so as to emphasize your commitment to the profession.

How you re-enter the profession will be greatly impacted by your exit strategy. Good luck and enjoy your cherubs!

*I am an Asian-American female associate of Korean descent who recently moved from a boutique to a large New York law firm. When I began practicing with my previous employer, I frequently encountered subtle and sometimes overt comments that suggested that I would be passive and non-assertive. Because I made a special effort to demonstrate my assertiveness, I was able to overcome these perceptions and eventually the comments dissipated somewhat. Now that I have transitioned, I’ve noticed that similar comments are emerging. Do I continue to overcompensate in order to dispel the myth or is some other approach preferable?*

Continue to play the game. But, play to win. While you don’t want to be overly aggressive or unnecessarily combative, you will need to be appropriately assertive. Your winning strategy also should include involvement in professional associations to help raise the profile and visibility of Asian women attorneys.

Some lawyers have the enviable luxury of simply being able to practice law while others have to deal with extra stuff that has nothing to do with substance but greatly impacts how they are perceived as practitioners. Like it or not (and we don’t like it at all), perceptions can be extremely powerful, particularly when they are based on ethnic, racial and/or gender stereotypes.

After speaking with Asian-American women attorneys, it’s painfully apparent that your experience is not unique and there is a lingering notion that Asian women lawyers are non-assertive. Some of them spoke of situations where they were reminded to “speak up” or advised not to be too soft-spoken without even having the benefit of demonstrating whether their words were firm, soft or somewhere in between. One litigator explained how she would routinely make a special effort to give a blow by blow replay of her court appearances to make sure that her peers were aware that she was assertive, held her own and wasn’t in the courtroom “silent and crying in a pool of tears.”

Maintain your game-winning strategy—it will help lessen the bitter aftertaste of forced compromise. •