

Crossing borders

Young Canadian legal talent is being snapped up by top-tier firms in international financial centres like London and New York.

BY HELEN BURNETT

Joining a new firm usually involves a learning curve for most associates. But what if this new job also came with a second level of transition — the challenge of moving and adapting to a new country? The thought of taking an international career-leap might seem too daunting for some, but many Canadian associates have already made the move to corporate and commercial hubs such as London and New York. Their advice for colleagues considering a similar move: it's not as difficult as it may seem.

Several top-tier British and American firms have flocked to Canada to look for legal talent over the last couple of years — an interest matched by candidates looking to go to London and New York. The international hiring of Canadian lawyers is cyclical, says

LIAM SHARP



Canadians Lee-Anne D'Aoust and Dimitri van Kampen have made the move to London, England.



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— Dimitri van Kampen, Herbert Smith LLP

D’Aoust always thought about broadening her career horizons but says she never really considered London until talking to a recruiter. “It was good advice that London’s a great place to start an international career, because once you’ve done some time in London you’re perceived to have accrued a fairly high level of skill. . . . It’s a very respected market for banking and finance, in terms of a legal career,” she says. “It’s just a great way to get in the game and get excellent training and just be exposed to deals on a magnitude that are sort of incomprehensible in Canada.”

A few streets away at London firm Herbert Smith LLP, associate Dimitri van Kampen made a similar decision last year. A banking lawyer who, like D’Aoust, joined the U.K.-based firm after practising in Toronto, van Kampen was looking to specialize in project finance — a search that led him to Britain. “You don’t really find a lot of project finance being done out of a market like Toronto. The markets are really New York or London,” he says. “And of course the work is on a wholly different level here than North America . . . I wouldn’t have the exposure to the types of transactions that I have in London. You just don’t get exposure to those types of . . . transactions — the issues. It’s a totally different challenge and it’s exciting,” he says.

“In London, you’re far more on the cutting edge of where the law is going; in many respects, you really are working on state-of-the-art transactions in this market,” he adds.

Malcolm Hitching, a partner at Herbert Smith, made a recruiting trip to Canada last fall and commented at the time that, after the success of his first visit to Toronto and Montreal earlier that same year, the firm is committed to making similar trips to interview associates every six months for the next few years. As a result of that trip and through other means, the firm now has on staff eight Canadian lawyers with a variety of previous experience. The firm interviewed at least 50 potential recruits last fall in Toronto, Montreal, Calgary, and Vancouver.

“When I took over, like most U.K. firms we were very focused on taking in lawyers from Australia and New Zealand and really hadn’t considered the Canadian market. I was keen to explore Canada, because clearly it’s a big country, it’s a good business centre, there are lots of people who had a very good education, and it’s got the added attraction of being predominantly a common law jurisdiction,” he says. “Genuinely, what I’m not doing is coming across to Canada and saying to people, ‘You

ought to come to London; it’s better,’ because it isn’t. It’s just a different opportunity.”

While making such a move may seem daunting for many associates, van Kampen says: “As soon as you make the decision to do it, and once . . . you’ve got that hurdle over with, the firms make every effort to make that move as easy and as seamless as possible. And it really isn’t that difficult. There’s always going to be a learning curve when you switch jobs — just in terms of the way different firms work — but also when you switch continents and countries and markets there’s going to be huge learning curve. But it’s surprisingly easy.”

In terms of the move itself, a lot of effort was put in by the



Jonathan Marsden, founder of recruitment firm Marsden International, adding that while a three-year cycle of intense recruitment is coming to an end, he predicts it will pick up again within a few months.

While a number of Canadian law school graduates end up practising in New York, London is the largest market for lateral moves for associates from Canadian firms, says Marsden. The New York market for associates is also growing.

“We’re finding lawyers are looking at their CVs in a very different way than they were, say, 10 years ago, where maybe taking a move abroad was something for people who were particularly adventurous or who had personal reasons for moving or who just had an appetite for something new,” says Lindsey Petherick, international consultant with ZSA Legal Recruitment in Vancouver. “A lot of lawyers now are seeing that when they’re at the top of their game in Canada, the only way to raise the bar is to go to an international law firm,” she adds.

The “sweet spot” with most of those firms is the hiring of lawyers two to four years post-call, says Petherick. One of those lawyers is Lee-Anne D’Aoust. After articling and working as an associate at a Toronto firm for three years, D’Aoust, a 2005 call, moved to London last summer to take a position with one of the world’s largest law firms, Clifford Chance LLP, which has 27 offices in 20 countries with 3,800 legal advisers. While she worked mostly on M&A in Canada, D’Aoust is now with the banking group at Clifford Chance, which she says is not unusual with this type of move. “When you’re this junior, they’re willing to take you on and train you,” she says.

As a result of turning up at the firm as a qualified lawyer seeking to enter a new practice area, the learning curve has been intense. She notes that this would be an atypical experience in Canada. “It would be very unusual for a lawyer to be hired into a group as a lawyer not having ever practised this type of law.”

In one of her interviews, D’Aoust was told outright that she would need a lot of training, a blatant acknowledgement by the firm, she says, that “‘We get that you haven’t done this before but we’re willing to train you.’ And they have.” The firm provides its associates with intense training, including online courses and on-site courses in its “academy.”





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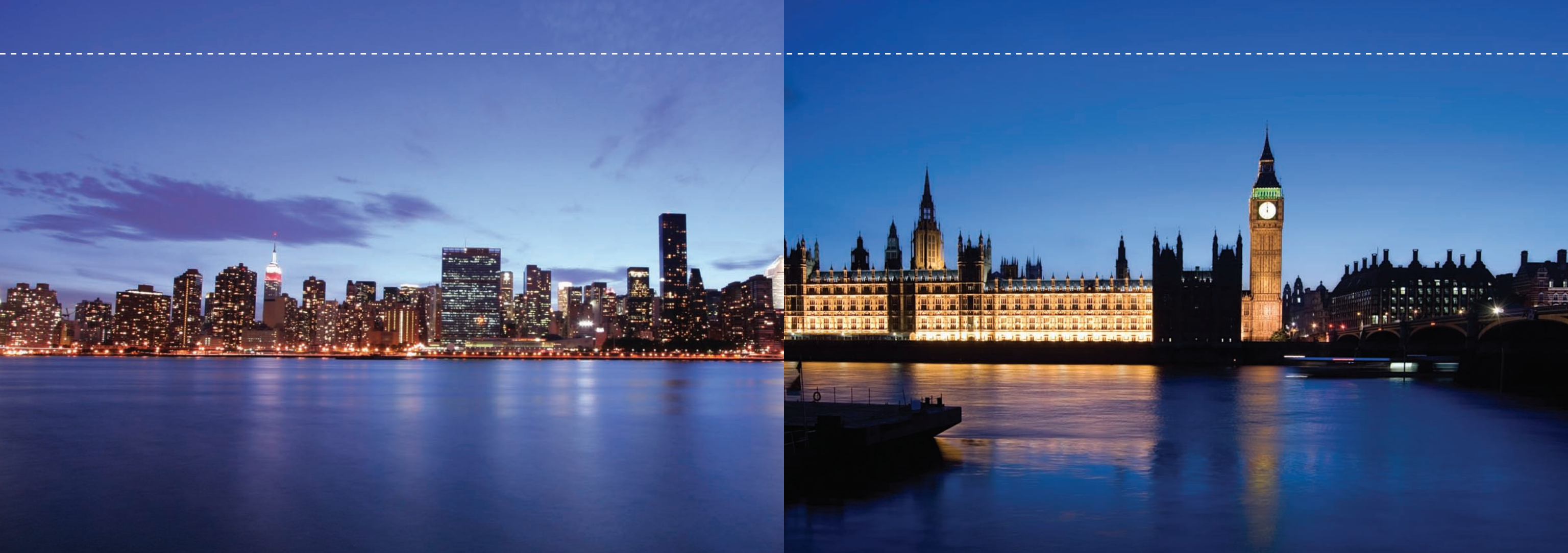
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firm to make the transition from Canada to the U.K. as easy as possible, says van Kampen. For example, a number of sources were made available to him to talk about legal or health-care questions. “If anything, the move was not as difficult as I thought it was going to be,” he says.

The community of expatriate Canadian associates in some international firms can also be quite large, creating an easier transitional environment for incoming lawyers. In D’Aoust’s department of 180 lawyers, there are at least 15 Canadians, including someone with whom she worked and attended law school in Canada. Many couples who have recently moved to the firm from other jurisdictions also seem to work within the same department, she says, which may make the transition easier for some associates.

The presence of other foreign associates, from countries like Australia, New Zealand, South Africa, and India, can

also ease the loneliness and “trials and tribulations” of moving to a new country, says D’Aoust.

On the downside, she says, you are surrounded by others who are also struggling, and there is significant turnover due in part to secondment options. “It was a bit overwhelming at first — just changing jobs from one Toronto firm to another Toronto firm can be fairly stressful — but it was the combination of moving to a different country and not having a support network,” as well as the stress of trying to find and set up a home.

D’Aoust and van Kampen are not atypical of the types of Canadian associates being recruited to large firms in London and New York. Most of the time, firms are looking for transactional lawyers: those with experience in corporate, securities, capital markets, banking, and financial services; the firms are also looking for those with special skill sets, such as real estate and intellectual

property, says Marsden. “Most people who come and see us say they’ve got to the stage where they’ve had anywhere from one to five or six years’ experience in a good firm and they’re looking around thinking, ‘Is this it for the rest of my career?’ And they want to step it up to the next level,” he says.

Decisions to move arise from several factors. Most often, says Petherick, there is a desire to access high-level transactional work — something that will “hold their interest and improve their CV” in a top-tier law firm where lawyers can grow and progress, either by joining the partnership track or by making themselves more marketable upon their return to Canada. There is also the location. A move to London, for example, comes with the opportunity to explore Europe.

Lawyers with two years’ post-call experience can expect a typical salary of £72,000 (\$142,700) a year at a firm in the city of London, or £55,000 (\$109,000)

at a West End firm, according to the November 2007 Hays Legal survey of London law firms. In New York, associates with one to three years of experience can expect to earn within the range of US\$160,000 to nearly US\$208,000 at a large law firm this year, according to a survey by Robert Half Legal.

However, finding the right firm-fit (expectations of billable hours, salary, and pay scale, and whether the work is going to be high-level transactional work) is very important in any move beyond Canada’s borders. “We’ve just seen a huge appetite for Canadians in moving overseas, and I think it’s something that people want to be very careful about, how they make this move. They’re concerned that they want to go to the right firm for them,” says Petherick.

The consensus among recruiters is that top firms in New York and London are looking for Canadian associates who work hard, are well educated, and will

fit in well with their teams. Van Kampen agrees. “It’s really, really, really important — I can’t stress this enough, I think — to be very careful to pick the firm that feels the best in terms of fit, because they’re all very similar in terms of the work that they do and the pay [they offer].”

Jennifer Poon, an associate at White & Case LLP’s New York office took a slightly different route than D’Aoust and van Kampen. Poon joined her international firm right out of law school, after summering at the firm the year before. Interested in firms with global reach, Poon was drawn to New York by the opportunity for cross-border work as well as by the experience that comes with large and complex transactions.

After two rotations through different groups in her first year at the firm, Poon is now with the securities group, focusing mainly on international transactions, including Canadian cross-border work. “Everyone always says that the

hours are crazy in New York and that it’s kind of a scary place. But I think I’ve found it to be a lot more friendly and I’ve learned a lot from the people that I’ve worked with, and it’s just been overall a little bit of an easier transition than I would have expected it to be,” she says.

“I think it’s very unique experience in that you’re exposed to not only the international aspects of legal work but also dealing with other cultures and finding out how things are done in other countries. And if that’s something that interests a prospective associate or someone that’s thinking about moving down here, I think it’s really a great experience,” she says.

The firm has a large group of Canadians on staff (including its chairman, Hugh Verrier) and holds a Canada Day lunch every year. Some Canadian lawyers are also involved in recruiting in Canada. “The Canadians identify with each other

and are great whenever you need to ask a question, but it's not like it's a separate group," says Poon.

Timm Whitney, head of attorney recruitment for White & Case in New York, says Canada is a long-standing source of talent for the firm. Canadian lawyers are considered to be adaptable, he says, and culturally dissimilar enough to add to the firm's diversity, but similar enough to easily weave into the environment of the firm. "I think it's a benefit, long-term, to Canada as well. A lot of these people wind up going back to Canada in various areas of practice, and I think the ability to gain New York or London market expertise is very valuable, both to them and to the Canadian law firms in general," says Whitney.

In terms of lateral moves, four or five Canadian associates join the New York office of the firm each year, primarily in banking, M&A, and securities law.

Also with White & Case, third-year Canadian associate Jessica Marchand went straight to the firm's banking group in New York after getting her law degree from McGill University. Marchand returns to McGill every year with the firm as part of



Timm Whitney

its recruiting efforts. She meets with the students who are interviewing and acts as a contact person for any questions they might have.

Her suggestions for those considering the move? "My advice would be just to come down and take advantage. I mean, New York's a great city and there's so much to offer, and the deals that you work on are much larger than you would probably experience as a junior associate in Canada," she says. Working in New York over the past couple of years has been fast-paced with a steep learning curve, she says, but has allowed her to be involved in all aspects of deals from the beginning. One unexpected element of her experience in New York has been the tight-knit nature of her practice group, who often do things outside of work together, she says.

Another associate who recently made the move to another firm in the Big Apple says that, although with a job change comes reintegration into a new environment, the move was not like "shifting universes." He says that while he is on a learning curve with the new job, the firm is very amenable to giving him time to build



Jessica Marchand



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— Jennifer Poon, White & Case LLP

a knowledge base. In terms of advice to those who are looking to make this type of change, he says there are dozens of firms recruiting and those who want the experience should go for it.

By and large, adds Marchand, New York firms are also very international, bringing with them the opportunity to travel, work with other offices, or even take a secondment in another city.

Secondment options for associates at large international firms in London can be plentiful. D'Aoust says many others in her group have gone on to work either at clients' offices, or at the firm's offices in Moscow, Sao Paulo, and Dubai for stints of six months to two years.

As opposed to New York, where incoming Canadian associates have to write the state bar exam, lawyers moving to London don't have to be qualified in England and Wales to practise as a solicitor. Their business cards will reflect the fact that they were called in Canada. Those who have been called in a common law jurisdiction who wish to be called in England and Wales simply have to write an exam.

D'Aoust notes many of the expatriate lawyers from the

various commonwealth jurisdictions don't stay in London for very long, often only a couple of years. "I don't think there's that expectation that when they hire you that you're on partnership track," says D'Aoust, although the firm makes it clear that there is no barrier to a Canadian or other foreign-trained lawyer becoming a partner at the firm.

What associates often want to know before they decide to take a position with an international firm is how they will be able to return to Canada after working abroad for a certain number of years, says Petherick. "It seems to me that there's a very strong family culture in Canada, and that ensuring you're going to be marketable on return to Canada is something that's very important to people who do move," she says.

As for New York, Marchand notes that, in her opinion, going to the U.S. does not close any doors "whatsoever." This is especially true for those on the corporate side of things, where, she says, it is similar on both sides of the border. Poon adds that a number of associates from the firm have moved back to Canada quite easily. "We've never had any problem, when we've relocated people abroad, in bringing them back," affirms Petherick. ■

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