

Re-Entering the Legal Profession After Caring for Kids



By Tien Cai

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There are always compromises when balancing work and family. After a six month unpaid maternity leave in 2003, I returned to work part time as an associate attorney in construction litigation. One month later, I resigned because my husband's company relocated us a couple of times; and for numerous reasons, I did not apply for work. By March 2018, my husband was no longer with his former company, and we decided to switch roles. He could spend more time with our teenagers and be our main care provider and, I could re-enter the legal profession.

The Job Hunt

I decided to look for a construction litigation position. My job search took about two months, and included the following steps:

- In mid-January, I emailed my former boss in California for a reference. He called me within nine minutes of my email. This reminded me of how important it is to create and maintain strong work relationships.
- Next, I reached out to a former partner of my old Minnesota firm who has gone solo. He spent several hours coaching me and pointed out that some firms have salary and billable hours information posted on their websites. This led me to articles by minnlawyer.com and blogs on many firms' salaries. He also emailed me a contact list of twenty-seven attorneys at twenty firms who primarily practice in construction litigation.
- I am a master gardener and have done 300-400 hours of volunteer work per season. So, I also reached out to the City of Savage's Superintendent of Parks and Recreation who got me in touch with his contacts at the Department of Natural Resources.
- Also, lawyers I met through friends at our kids' school gave me valuable information about the Attorney General's office.
- I studied a great deal about how to interview with firms and guidelines for cover letters and resumes. These articles suggested a targeted approach to firms. Other articles stressed the importance of volunteer experience and to state your absence from the work force and the reason in your cover letter. Online articles prepared me for the questions firms might ask and suggested good questions to ask. They also advised to be a good listener during the interviews but sell your experience to senior partners. In addition, they advised treating the call-back interview like the first interview. You should ask the same questions over and over with different interviewers because it is helpful to get different insight in response to the same questions.
- I reached out to a Minnesota mediator with whom I had several cases, and he helped me narrow my firm contact list further.

•I studied all my past cases. Before I left my old firms in Minnesota and California, the firms permitted me to save all files created by me to a disk as my work product. I studied these files for my own self-development. I also kept a file of emails, letters, and note cards whenever someone paid me a compliment for my work on a case. I knew my work product inside and out.

The Interviews

After using all of this information and sending my resume to selected firms, I was thrilled to get some interviews. The interview process was all about compatibility. I got better at interviewing the more interviews I did. With the firms that indicated they would like to hire me, the interviews were very fun and interesting. We talked about music and volunteer work. Other firms asked how I would feel working with younger associates and partners to which I replied "Great!" Other firms expressed concern about my ability to learn electronic discovery. I assured them that I am very capable of learning the technology. I had created an advocacy video to help save the orchestra program in Burnsville by learning the software in one week. The school IT/advanced math teacher and I were the only ones who knew how to use that software.

Volunteering was the most helpful way to keep me relevant, and I discussed that during the interviews. As always, you get more out of volunteering than you put in. For example, I obtained insurance coverage for defense of a class action and obtained a nominal settlement. I tried an easement dispute and obtained a complete defense verdict. I advised on hospital and employment contracts and zoning and planning. I did a non-profit tax filing. All of these cases were outside my construction litigation specialty and done without support staff or Westlaw. My interviewers were also interested in my work in cooking for 75 homeless women each month, my overnight volunteering at a homeless shelter, mentorship activities for families in need, and my gardening expertise.

I had interviews with firms who knew my construction litigation experience and work ethic. So, the greatest opportunity was in my field of specialty. I reached out to a colleague from my former Minnesota firm who was now chair of Dorsey & Whitney LLP's construction litigation group. While we had not kept in touch, I emailed her anyway. Dorsey was the most professional in the hiring process. Dorsey made me an offer within three hours of completing the first set of interviews and offered to cancel all remaining scheduled interviews at my option. I was very impressed with the firm, and I accepted the offer.

Lessons Learned

In sum, a diverse network is very valuable for re-entry. People are so kind and generous; they will help you. You should email or call colleagues even if you have not spoken to them in fifteen years. If people do not respond, do not assume the worst. People are busy. Just move on, there are plenty of people who will help you.

Thankfully, the Family Medical Leave Act (FMLA) can eliminate some obstacles to re-entering the work place after having children. The FMLA applies to public state, federal, local, and private employers with fifty employees or more for at least twenty workweeks during either this year or the previous year. These employers are required to permit employees up to three months of unpaid leave each year with no threat of job loss. Employers are also required to maintain health benefits for eligible workers just as if they were working. Also, the employee must work for the employer for twelve months, and 1,250 hours or more during those twelve months before taking leave. An employee may take medical leave for the following reasons and more: (1) serious medical condition, (2) an immediate family member with a serious medical condition, (3) the birth or placement and/or subsequent care of the employee's child, adopted or foster care child, (4) deployment to active duty of the employee's spouse, child or parent.

Dorsey and many other firms and organizations go further than the FMLA and provide 14-16 weeks of paid maternity leave, up to six additional months of unpaid maternity leave, and eight weeks of paternity leave, as well as back up childcare; you do not need to take the leave all at once. As our world changes, men and women can be free to take on non-stereotypical roles when there is a lower threat of job loss from raising a family. ■