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Why More Young Attorneys Are Striking Out On Their Own

By **Rachel Rippetoe**

Law360 (March 1, 2023, 1:55 PM EST) -- When Margot Hoppin and Tim Grinsell made the bold leap from working as associates at Holwell Shuster & Goldberg LLP to founding their own law firm earlier this year, they were confident it could work — in part because they'd seen how others had paved the way.

Hoppin Grinsell LLP, which opened its doors in New York at the start of January, is one in a string of firms recently launched by early-career attorneys. They followed on the heels of two senior Kaplan Hecker & Fink LLP associates who started their own litigation firm in June. And a senior associate and junior partner from Hogan Lovells teamed up to launch a new startup firm that month as well.

While some of the most successful breakaways of the past — including Kaplan Hecker and Holwell Shuster themselves, both of which are BigLaw spinoffs — were founded by more senior partners, associates and younger lawyers are feeling more emboldened to venture off on their own, thanks in part to the increased acceptance of remote work and advancements in legal technology helping to drive down overhead costs.

But it's more than just cold economics that's driven many of the recent breakaways. Instead, they told Law360 Pulse that they were simply looking to define themselves as lawyers on their own terms before becoming too used to definitions set by someone else.

"There is something exceptionally formative about the early years of partnership," Hoppin, 40, told Law360 Pulse. "It feels like it imprints a style of lawyering and an approach. I feel myself changing as a lawyer and also becoming more definite in certain views and more defined. And I would far rather do that in the vision that we're trying to create in our own space than at any other firm."

Going Their Own Way

The desire to strike out on your own before reaching the top ranks of the industry may seem like a "very Millennial thing to do," said Alanna Kaufman, who was only 33 when she and four colleagues broke off from prominent New York civil rights litigation boutique Emery Celli Brinckerhoff Abady Ward & Maazel LLP to start Kaufman Lieb Lebowitz & Frick LLP at the start of 2020.

"I think it is sort of a generational thing in some regards to be like, 'I want to control my own life, I want to control my own schedule, I want to do the work that I want to do and in the way that I want to do it,'" Kaufman told Law360 Pulse.

Hoppin said she's seen the traditional markers of success in the legal industry — the paycheck in particular — lose a significant amount of relevance for younger generations.

"There's a real pushback. There's a sense that compensation comes in many forms, of which money is only one. There is a sense of not being willing to lose literally all of your time and your personhood to a huge firm structure," Hoppin said. "Creating a new place that is different and open to changing those models and approaches — now feels like the moment to do it."

This rebellion against the traditional law firm model could be spurred by a growing sense of discontent among young lawyers. According to a November report on a survey of young attorneys commissioned by the Los Angeles County Bar Association, over half of respondents said they were

not happy at work, and only about a third said they were interested in achieving partnership at their current firm.

Report author Lana Manganiello told Law360 Pulse in November she was stunned by the survey findings.

"The results are alarming," Manganiello said. "I knew that many younger attorneys want to see changes at their firms, but I didn't realize that so many had no hope for the profession."

Shifting perceptions of success among younger lawyers can dampen the allure of prestige that's traditionally come with working among the ranks of BigLaw's elite names, said Philip Hamilton, a former lawyer with The Bronx Defenders who founded the litigation boutique Hamilton Clarke LLP in 2020 alongside fellow criminal defense attorney Lance Clarke.

At the end of the day, most attorneys would rather make as much money as possible, Hamilton said. And one of the industry's "best-kept secrets" is that Small Law can reap big financial rewards for deft and entrepreneurial lawyers who can take home the full revenue of their work instead of climbing the rungs of a set compensation structure.

"I don't care about the prestige of the name on the jersey that I'm wearing — if it's Paul Weiss or if it's Davis Polk," Hamilton said. "When you're in your late 30s or your early 40s and you are in a position to be grossing anywhere between seven- and low eight-figure revenue in any given year, why would you want to go work for someone else?"

Unlike some of the lawyers who have founded firms that they intend to keep small, Hamilton sees his operation, which in three years has grown to 10 attorneys, as eventually becoming an institution all its own. Instead of chasing someone else's prestige, he said he's interested in creating his own.

"No different than how Skadden Arps sat down one day and decided to start a firm or Fox Rothschild decided to start a firm, my partner Lance Clarke and I sat down and we just said, 'Hey, let's start something,'" Hamilton said. "It's bigger than just a couple of lawyers making some money, like, let's start an international legacy."

Sweet Spot

Leaving a firm before making partner isn't necessarily jumping the gun, lawyers told Law360 Pulse. As a senior associate, they said, you reach a certain crossroads. For some, it's the devil you know and the devil you don't. While partnership offers a clear path to success — though one that comes with an often grueling amount of work — going off on your own presents a challenge with a variety of frightening unknowns.

"Being a junior partner at a bigger law firm has always seemed really tough to me. It's a really hard gig," Kaufman said. "It's a lot of responsibility without a lot of the perks that come from being your own boss."

Ben White, who jumped ship from Kaplan Hecker alongside fellow firm associate Mike Bloch to launch Bloch & White LLP last year, told Law360 Pulse that starting a practice that is truly unique sometimes means having to leave a firm before you become too entrenched in its practices and routines.

"I think one of the benefits of doing it a little bit earlier is you can't copy someone else's litigation style, and you have to develop your own," White said. "Perhaps all small law firms view themselves this ambitiously, but we're not trying to emulate any other law firm. We're really trying to build a practice that's different."

For Katie Ali and Liz Lockwood, who departed Hogan Lovells in June to start D.C. litigation firm Ali & Lockwood LLP, it was not only a good time in their professional lives to go off on their own, but in their personal lives as well.

Lockwood was a senior associate debating if she wanted to go down the partnership path, while Ali had just made partner and knew that the longer she stayed at the firm, the harder it would be to leave it. But most importantly, they both had two young children close in age.

"Working and having young kids — I want to love what I'm doing," Lockwood said. "And I want to feel great about the work that I'm doing while I'm away from them."

While running your own firm can be just as time-consuming, if not more so, than working for someone else, it offers a level of flexibility that can be particularly appealing for young parents — especially when there is another partner who can help share the load.

This was true for Hamilton as well. In 2014, he left his post at the Bronx public defenders' office to take an extended paternity leave when his son was born. After at least four weeks in the summer without working, he found himself dreading his return.

"It wasn't that I was running from the pressure, but I just wanted to be able to regulate it more and be able to have a better quality of life," he said.

With a child's future to consider, money also became a factor. He had always known he wanted to start his own firm. But as he advanced in his career, whether it be by rising up the ranks at the Bronx Defenders or by taking a job with a law firm and moving into private practice, he expected his salary to double, if not triple. He knew that kind of money would be hard to walk away from when weighing his own personal goals and the wellbeing of his family.

But by the time he left Bronx Defenders, Hamilton was making about \$100,000 a year, he said, an amount he saw as low enough that it felt achievable to match in the early going at his own practice.

"My concern was that if I left Bronx Defenders and then went to a bigger firm clearing \$300,000 a year, I would be trapped forever. I would never be able to actually give it a shot," Hamilton said. "Even though it was a bit premature to come out and start your own private practice, I just felt like I could actually make the salary that I had just made, and then continue to grow. And that's exactly what happened."

Beyond Money

Aside from being launched by relatively early-career attorneys, Hoppin Grinsell, Bloch & White, Hamilton Clarke, and Ali & Lockwood share another commonality: They all offer a more traditional commercial or corporate litigation practice to help support a portfolio of civil rights work centered around issues like police brutality and discrimination in the workplace.

Small firm practice is becoming an interesting alternative to pivoting to nonprofit or public-sector work when a lawyer wants to pursue a practice that better aligns with their moral values.

Getting to take on cases they're passionate about was a major draw to starting their own firm, the lawyers told Law360. And this specific model is making working in private practice a more lucrative option for lawyers who are primarily interested in doing public service work, said Lisa Hoyes, the assistant dean for public service at New York University School of Law.

"For my students, a for-profit boutique law firm is one of the things they might consider, whereas in the past they probably wouldn't have considered it at all because there was just more of an inertia towards working in the traditional nonprofit model," she said.

That was certainly the case for Hoppin and Grinsell as they looked to open their own firm.

"We both love the public interest and civil rights work that we've occasionally gotten to do before only in a pro bono capacity," Hoppin said. "We wanted to do more of it, and also think about more interesting ways to either do it for free or do it on a contingency basis. We wanted to experiment with what values-driven sort of social-good type work can look like."

For Hamilton and Clarke, who are both Black, it's rewarding not only to pave the way for other lawyers of color, but also to work on cases that specifically affect their own community.

"Looking at some of the recent police shootings, these are issues that affect people who look like us, and could ultimately affect me or my partners," Hamilton said. "So we're very intentional about

bringing litigation to remedy a lot of discriminatory policies or just issues that we see."

For Lockwood and Ali, who had both devoted substantial portions of their litigation practices at Hogan Lovells to pro bono cases, a passion for pursuing civil rights work was what ultimately drove them to take the risk in starting their own firm.

"It was mission-driven from the start," Lockwood said. "It's not like we said, 'Hey, wouldn't it be great to just practice on our own?' It was really, how can we create the space to do this work? And so that is what led us to taking the leap."

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