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## Tyson & Mendes Launches Hourly Option For Part-Time Attys

By Rachel Rippetoe

*Law360 (October 19, 2021, 4:00 PM EDT)* -- In an effort to combat what Tyson & Mendes calls the "year of great resignation," the civil litigation and insurance defense firm is now allowing attorneys to opt out of their full-time partnerships and instead work hourly on their caseload.

The program, which the firm unveiled on Monday, is designed to help attorneys who no longer want to work full-time still take on a meaningful caseload.

Administrative partner Cayce Lynch told Law360 Pulse that the firm launched the hourly employment program in response to research showing a great number of attorneys leaving the legal profession, especially amid the COVID-19 pandemic.

"I think COVID-19 has certainly changed the way people work, but it's also influenced folks' decision whether to practice law or not," Lynch said. "Attorneys and litigators are stepping back, assessing their personal values where they are in their life, and many are leaving the practice of law. Our team was asking ourselves, 'What can we do to meet the needs of today's workforce?'"

The program will give lawyers total control over how much they work and how many cases they take on, Lynch said. While other firms offer part-time hourly options, the work is usually piecemeal, she said. In a more traditional model, a part-time attorney helps with depositions and discovery, but rarely has ownership over the case.

In Tyson & Mendes' new program, lawyers can choose to take on a handful of cases and receive the same level of support as full-time lawyers, according to the firm. Lynch said she expects there will be an ebb and flow to the workload and the hours part-time attorneys will work, depending on where they are in a given case.

The program allows experienced lawyers to take a necessary break in their workload without losing out on the meaningful part of their job, Lynch said.

"It gives attorneys the capacity outside of work to deal with other obligations that come up in our lives, whether that's related to family, or for your own mental health, or really, for no reason at all, just simply because this is the kind of work that you're passionate about doing right now," she said.

Lynch said she anticipates the program will attract even more talent to the firm, which says it grew 17% in the last year, adding new offices in Chicago and Tennessee.

The firm has added several partners in 2021, including Sheryl Rosenberg and Margaret Holm from U.K.-based insurance defense firm Clyde & Co. in Los Angeles and Orange County, California, former Harrington Fox Dubrow & Canter LLP partner Kevin Gray in San Francisco, and former Hinshaw & Culbertson LLP partner Martin D. Stern in Fort Lauderdale, Florida.

"Hopefully in the long run, we're the firm that meets attorneys' needs regardless of the phase of their profession that they're in," Lynch said. "If you're questioning whether you need to leave the practice of law, I don't believe you do. I think you really just need to find the right law firm. And I believe Tyson & Mendez is that firm."

Some data shows that the pandemic didn't actually cause the mass exodus from the legal industry that some expected. In fact, an analysis released earlier this year by legal industry data company Firm Prospects LLC found that most attorneys held onto their current gigs. The analysis found that about 19% fewer attorneys left the law in 2020 than in 2019, 9,682 compared with 11,988.

However, two career coaches told Law360 in July that more attorneys had been questioning their futures in law. Casey Berman, founder of San Francisco-based Leave Law Behind LLC and a former attorney, told Law360 Pulse that the firm helped at least 12 people find jobs outside the legal industry from March 2020 to March 2021.

"It wasn't all of a sudden everyone's leaving in droves," Berman said. "The shift that I saw was a lot of the reasons to stay in the law that lawyers hang on to even if they're unhappy — lawyers were able to move beyond those excuses and reasons, if you will, because of the magnitude of what we went through."

Having recently given birth to her first child, Lynch said that taking maternity leave and returning to the office as a working mother shifted her perspective on work-life balance. She said she helped create the program in hopes of helping lawyers who are in a stage of their life where full-time work just doesn't quite fit.

In bringing this program idea to the firm's equity partners, Lynch said it made a difference that the firm had recently surpassed gender parity in its equity partnership.

"When I was discussing this with the equity partnership, we discussed that this would be something brand new, kind of forging new paths for the litigation firm, and they were very excited to embrace it," Lynch said. "I felt comfortable bringing this idea because I knew whether it was accepted or not, it would be seriously considered."

While Lynch said she hasn't yet seen other firms adopt this specific model for part-time work yet, she hopes the legal industry is shifting towards prioritizing mental health.

"Lawyers are just stereotypically workaholics, and that comes out to be true in practice for many," she said. "I think we have to start prioritizing mental health and the way to break down the stigma of talking about mental health in this industry is to create programs like this, where people are free to raise their hand and step forward and say, 'I'm interested in this right now. This is something that could meet me where I am in my professional career.'"

--Additional reporting by Emily Sides, Xiumei Dong and Emma Cueto. Editing by Ellen Johnson.