

Ask A Mentor: How Can I Turn Deferral To My Advantage?

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Q: What advice would you give a recent law school graduate and incoming first-year associate who has been asked to defer their start date?

—Incoming associate at BigLaw firm

First, don't panic. Whether you know it or not, when you ultimately start work at your BigLaw firm, you will eventually get to know attorneys who went through this same experience. (I'm one of those people.)

While deferral inevitably seems like an obstacle to starting your legal career — especially if you spent half of law school and all last summer preparing to work at this firm — it can end up giving you an advantage over your peers. But that all depends on what you decide to do and what you make of it.

Also, keep in mind that there is a reason that your firm has decided to defer you and your colleagues. Coming to the firm when there is an appropriate workload isn't a bad thing.

Here are some tips based on my experiences on how to make the most out of a deferral and how to navigate the return to BigLaw.

Decide how to spend the time — and whether to practice law during it.

Some firms that defer associate start dates will have requirements on what they want associates to do during the deferral period.

If the firm requires you to do legal work, look into nonprofits and find something that you really care about. Talk to your professors, mentors, fellow students, friends and colleagues: Almost everyone will know of a nonprofit doing great work that is in dire need of assistance.

When I received the news in the summer of 2009 that my start date would be deferred, I started asking around. One of my teaching assistants was on the board of directors of a nonprofit in the Bay Area. He connected me to their executive director, I interviewed and I got the job. (It's amazing how many worthy nonprofits out there would love to have law grads work for free.)

If you are not bound by a restriction to practice law during your deferral period, or if you are not required to do anything, get into the game anyway, as long as your BigLaw firm is footing the bill for your malpractice insurance. While it may seem inviting to kick back and relax after three grueling years of law school and the stress of the bar exam, returning to the firm after a year off, which your peers spent gaining experience either with the firm or on their own deferral journeys, will probably not set you up for success.

All of that said, if there is a volunteer project you've been putting on the back burner for years, this could be your chance to get it done. One of my fellow law grads who had also been deferred spent a year volunteering with Habitat for Humanity, rather than start work as a lawyer.

If it's your dream to work on a political campaign, this isn't a bad time for that, either.

Advocate for yourself at your new firm.

If there is an outside-the-box opportunity you want to explore that doesn't fit within the parameters of the firm requirements, ask anyway.

If the perfect opportunity has arisen, but it would require you to move to another state or country for a year, ask if that is possible.

Ask questions about what your status will be upon return to the firm. Will you be part of the first-year class or the second-year class?

Find out what firm requirements you will be expected to fulfill while you are deferred and make sure you understand what is expected of you.

Keep in touch.

Undoubtedly you made connections with attorneys at your firm when you were a summer associate — and, hopefully, afterward. It's worth emailing the associates and partners you worked with to let them know what you're up to. Don't assume they know what you are planning on doing.

After connecting with these people, keep in touch throughout your deferral to let them know how it's going and when you'll start at the firm. And offer to take them out to coffee or lunch if you're local. (They will probably end up paying anyway.)

Make sure you're also checking all the boxes the firm requires in order to keep you on payroll, whether that's entering your time, attending mandatory trainings or otherwise. If you are invited to participate in firm social events or continuing legal education while you are deferred, take them up on it.

Also remember to keep in touch with your peers and fellow law grads. I remember feeling distinctly behind my peers who had started in BigLaw or at other jobs right out of the gate. I felt awkward talking to associates at my firm who had not been deferred. But when we spoke, I realized that everyone was going through their own version of what I was experiencing — learning how to navigate being a lawyer for the first time — and I encountered little judgment.

Make the most out of your opportunities.

Even though you may only be in a position for a short time, try to soak up everything you can.

During my deferral, though I was not practicing the types of law that I would have been in BigLaw, I was thrown into a lot of cases and projects where I had to learn on the fly. I counseled clients directly, I was given opportunities to negotiate with opposing counsel, and I was expected to learn all sorts of substantive areas of law on little notice. Learning how to navigate sink-or-swim situations was something I later took to BigLaw.

You should also make the most out of not working — at least, not yet — in BigLaw. During my year at the nonprofit organization, like my colleagues, I worked 9 to 5. I didn't work weekends, and I wasn't expected to respond to emails or calls outside of work hours — nor could I even access work email from my phone.

While every workplace will be different, there will inevitably be things you can take advantage of by not throwing yourself into BigLaw just yet.

Take it with you.

When you return to BigLaw, make sure you let people know how your deferral period went. If possible, communicate that you gained some valuable experience that could make you a good fit for the work you want to do at the firm.

And, of course, keep in touch with those you connected with while you were deferred. If you spent your time working at a nonprofit, this would be a great opportunity to bring in pro bono matters to the firm. If you worked at a company, keep in touch with your former colleagues who could be your clients someday.

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