

The “Collaboration Generation” Will Make Good Family Lawyers

MILLENNIAL ATTORNEYS LOOKING to find their fit in the legal profession should consider careers in family law, particularly in mediation and collaborative divorce, which are consensual dispute resolution processes aiming to keep divorces civil, private, and out of court. These processes are often more efficient, cost-effective, and supportive of families’ diverse legal, emotional, and financial needs than traditional litigation. They empower families to be autonomous decision makers and promote sustainable settlement agreements.

In collaborative cases, each spouse hires a collaboratively trained attorney. Many couples also choose to hire a neutral forensic accountant, a child specialist, and/or mental health professionals to help resolve roadblocks to resolution. The hallmark of the collaborative process is the “disqualification agreement,” signed by the clients and professionals committing to follow collaborative principles and acknowledging that if the case does not settle, all professionals are disqualified from participating in litigated proceedings. Collaborative professionals work in teams to help families resolve their divorce issues.

In mediation, a neutral third party—the mediator—helps spouses resolve divorce disputes. The mediator does not advocate for either party, take positions, or make decisions but rather facilitates negotiations so spouses can make decisions on their own terms.

Many values common to millennials make them naturally suited to these consensual dispute resolution processes within the family law framework. Indeed, the “Collaboration Generation” title captures the millennial spirit. Millennials overwhelmingly choose collaboration over competition. In fact, 88 percent of millennials say they prefer to work in a collaborative work culture rather than a competitive one.² Millennials have been trained to be teammates from childhood. They grew up with team sports, clubs, group projects, play dates, and organized recreational activities.

Family law is a good practice area for many millennial attorneys because, ultimately, millennials are motivated by meaning. Notably, 77 percent of millennials say their ability to excel in a job is contingent upon deriving meaning from it.³ Subscribing to the concepts of “doing well by doing good”⁴ and “purpose beyond profit,”⁵ millennials believe their work is the vehicle by which they will make the world a better place.

One of the most meaningful practice areas for attorneys, family law is rooted in relationships, children, love, loss, and goals for the future. Its practitioners help people through some of the most difficult times of their lives. The opportunity to see tangible results for clients will resonate with a lot of millennial lawyers since they are highly concerned with the ethics and social responsibility of the products and services they consume. Divorcing people in the most dignified, cost-effective, and peaceful way possible is socially responsible. While there is no sugarcoating divorce, spouses choosing a collaborative process or mediation generally come out

looking better and feeling better than their litigation counterparts. While mediation and the collaborative process allow spouses to discuss their problems in private meetings, spouses in litigation air their dirty laundry in public court filings and hearings.

Millennials are also digital pioneers, evidenced by a study in which about 50 percent of them reported they would give up their sense of smell to keep one technology item.⁶ Litigation regularly requires clients and their attorneys to be physically present in court, but collaborative and mediation cases can often be resolved through use of tech tools like Zoom and Slack. Moreover, mediation and collaborative divorce offer attorneys more workplace flexibility. Office attendance is considered unnecessary by 69 percent of millennials, and 89 percent prefer to choose when and where they work rather than a 9 to 5 office job.⁷

Millennial attorneys should explore careers in family law consensual dispute resolution as it is a meaningful practice area fostering creative problem solving, congruent with millennial values and preferences. These processes will gain in popularity as increasing numbers of millennial attorneys and clients enter the market. ■

¹ Millennials (often referred to as “Generation Y” or “echo boomers”) are people born from 1981-1996. (Michael Dimock, *Defining generations: Where Millennials end and Generation Z begins*, Pew Research Centers (Jan. 17, 2019), <https://www.pewresearch.org/>.) They are the largest generational group in the U.S. labor force today (Richard Fry, *Millennials are the largest generation in the U.S. labor force*, Pew Research Centers (Apr. 11, 2018), <https://www.pewresearch.org/>.) They have also been deemed the “Collaboration Generation.” (Collaboration Generation: The Rise of Millennials in the Workplace, Staples, <https://www.staplesadvantage.co.uk/get-inspired/collaborative-working/collaboration-generation-the-rise-of-millennials-in-the-workplace> (last viewed Dec. 5, 2019)).

² Rob Asghar, *What Millennials Want in the Workplace (And Why You Should Start Giving It To Them)*, FORBES (Jan. 13, 2014), available at <https://www.forbes.com/sites/robasghar/2014/01/13/what-millennials-want-in-the-workplace-and-why-you-should-start-giving-it-to-them/#2ec52d044c40>.

³ Shankar Ganapathy, *Ten Millennial Personality Traits that HR Managers Can't Ignore*, MindTickle! (Sept. 1, 2016) <https://www.mindtickle.com/blog/new-hire-onboarding/10-millennial-personality-traits-hr-managers-cant-ignore> [hereinafter Ganapathy].

⁴ American Bar Association, *A Millennial explains how law firms can attract and keep his generation of lawyers* (June 2018) <https://www.americanbar.org/news/abanews/publications/youraba/2018/june-2018/a-millennial-explains-how-law-firms-can-attract-and-keep-his-gen>.

⁵ Merkur, *Millennials and their quest for purpose beyond profit: Businesses at risk of losing top talent, according to Deloitte's global annual survey* (Jan. 21, 2016) <http://www.corporatenews.lu/en/archives-shortcut/archives/article/2016/01/millennials-and-their-quest-for-purpose-beyond-profit-businesses-at-risk-of-losing-top-talent-according-to-deloitte-s-global-annual-survey>.

⁶ McCANN, *THE TRUTH ABOUT YOUTH* 6 (2011), http://www.mccannworldgroup.de/fileadmin/mrmmccann/mwg/pdf/McCann_Truth_About_Youth.pdf.

⁷ Ganapathy, *supra* note 3.

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