

A Law Firm Associate's Guide to Getting a Vacation

Elizabeth F. Collura

2013-12-12

Many law firms do not hold their attorneys to strictly identified vacation or personal days. Associates are often expected to reach their billable-hours goals, manage their deadlines, complete their assignments and, in theory, take vacations at appropriate times. Yet, somehow even in the cold winter months when the courthouse pace noticeably slows, associates who have not planned well in advance often find themselves working away during the holidays. Workflow, to a certain degree, is beyond an associate's control, but with a little bit of planning, it is possible to carve out some time for family and festivities during the holidays.

Map Out Your Deadlines

The first step in taking any vacation, regardless of the time of year, is to get an idea of when you would like to take your vacation and identify all known major deadlines around that time. Ideally, you could identify your desired vacation time about six months in advance. Even though you cannot identify all possible major work obligations that far out, you can mark the vacation days in your calendar. As deadlines begin making their way to your calendar, you can work to shape those deadlines to accommodate your vacation time. A court or opposing party is more likely to accommodate a vacation when you are discussing the deadlines, rather than moving that deadline later because you want to take time off.

If you have a few years of experience under your belt, you should have developed a sense of when the busiest times are in your practice. Some practice areas ramp up as the year comes to a close, so taking time off for the winter holidays will never be practical. Other practice areas are very busy in the spring and fall, but less so in the summer and winter. Be mindful of the patterns in your practice, and plan for time off when you expect to have fewer commitments to begin with. If you try to fight the tide of work and expect to vacation during its busy times, you will wind up with a disappointed supervising attorney, disappointed clients and probably a ruined vacation. There are few things worse than packing your travel bag full of binders and documents. Scheduling that trip (or even a staycation) during the less hectic time will make it more likely that you actually get time off during your time off.

Find a Buddy

Even with the best laid plans, emergencies can still pop up. Most issues afford a response time of more than a week, but there are times when an immediate turnaround is required. Support staff tend to be good about contacting you in those times of crisis, but even so, I have always been more comfortable having another attorney available to help out. Buddy up with your fellow associates and fill in for one another during vacation times. Find someone who is willing to be identified as a contact in your out-of-office

message, and who will keep an eye on your mail and the fax machine for any incoming emergencies.

If you are nervous about asking for this kind of help, offer first. When you catch word of a co-worker planning to take time off, offer to keep an eye on their matters while they are gone. Then, when you are making preparations for your trip out of town, you may feel more comfortable asking them to lend you a hand.

Devote Time to Maintenance

Returning from a week away to an overflowing inbox and a monitor covered with sticky notes from various partners will leave you needing a vacation. Bitterness is also a likely byproduct of a vacation unexpectedly sullied with work obligations. Set your expectations accordingly. Plan to spend about 30 minutes a day checking and responding to emails. Have your assistant scan and email all correspondence to you. Respond to the most pressing concerns, and for less urgent issues, acknowledge receipt of the message and inform the sender that you will be back in the office soon and will handle the matter promptly.

Checking your email demands minimal time and will keep your finger on the pulse of your practice, so you do not return to a disaster area. More importantly, by going into your vacation with the expectation that you have to devote a little time each day to work, doing so will not feel as bad. Often, the irritation at giving up hard-won vacation time to work tasks is far worse than the work itself. Setting your expectations appropriately will result in feeling more satisfied about your vacation time on the whole. A truly off-line vacation does not exist anymore in the practice of law.

Communicate Clearly

In the weeks approaching your vacation, be clear about when you will and will not be available. The balance between making your availability known and shouting from the rooftops that you will be lounging on the beach is a delicate one. You do not want to be stuck with extra responsibilities during your relaxation time, but being too loud about it could create an impression that you are not eager to work. Do your best to adhere to the existing deadlines and complete assignments ahead of time. If you will absolutely need an extension, obtain it before you leave.

When receiving assignments that will be due immediately before or during your vacation time, let the assigning attorney know that you will have them completed before you go, but that you will be out of pocket for a brief time afterward. As an associate, you never want to turn down work. However, you also need to realize that sometimes it is simply not possible to do everything you are asked. If you find your vacation time sneaking up, and it looks like a total impossibility for you to take on any more work, communicate that to the assigning attorney. Something along the lines of, "I am happy to handle that assignment, but I will be out of town next week. Is it possible there is someone else who can handle it this time around, and I will be sure to take on the next assignment when I return?" There very well may be another associate who is available to handle the task.

Informally keeping an ear out for the level of other associates' workloads will also enable you to suggest someone to step in during your absence. No one wants to go through the misery of a much-anticipated, then canceled, vacation. If you ask around, you are likely to find a co-worker who can handle the task for you. Just make sure to be available to repay the courtesy when it comes time for him or her to vacation.

Do not be a hero and cancel all your plans right away when a task arises. The assigning attorney may have no idea that you had time off scheduled in the first place. There are those urgent, unusual occasions that may absolutely demand that you cancel all plans and make yourself completely available (for instance, trial). But often you can identify and settle on another course of action that gets the work done and also salvages your time off.

Elizabeth F. Collura is an associate in Clark Hill Thorp Reed's commercial and corporate litigation practice group in the firm's Pittsburgh office. She counsels on legal issues relating to use of social media, and represents clients in a broad array of litigation, including disputes involving fiduciary duties, contractual obligations and civil rights. She can be reached at ecollura@clarkhillthorpreed.com.