

2023

General Counsel Succession Report

Issued November, 2023



Introduction

Executive leadership teams and boards expect General Counsel succession plans to ensure a smooth transition when their General Counsel departs the organization for retirement, another role, or for an unexpected reason. These plans require the development and assessment of internal talent.

BarkerGilmore's expertise in legal and compliance executive search, leadership development, and organizational optimization offers invaluable insights and guidance to help organizations navigate the complex landscape of succession planning. Our team of Strategic Advisors and Coaches have over 400 combined years of experience as General Counsel and Chief Compliance Officers, leading and developing in-house teams.

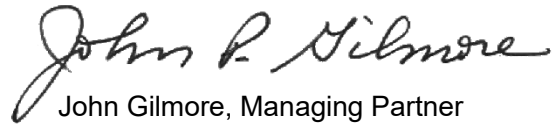
BarkerGilmore's succession planning services include:

- Succession Consultation
- Talent Assessment and Development
- Recruiting and Selection
- Successor Onboarding and Leadership Coaching

We hope the data provided in this report is enlightening and helpful for the legal community.



Bob Barker, Managing Partner



John Gilmore, Managing Partner

Table of Contents

Survey Methodology	3
Confidentiality	3
Key Succession Insights	4
Recruited General Counsel vs. Promoted General Counsel Differences	4
Executive Coaching and Professional Development	4
Outgoing General Counsel	4
Promoted General Counsel	4
Recruited General Counsel	4
Survey Respondents	5
Figure 1.1: Respondents by Current Position Title	6
Figure 1.2: Respondent JD Year Group Range	6
Figure 1.3: Respondent Distribution of Total Direct Reports	7
Figure 1.4: Respondent Organization Entity Type	7
Figure 1.5: Respondent Industry	8
Figure 1.6: General Counsel Reporting Line	8
Figure 1.7: Respondent Gender Identification	9
Figure 1.8: Respondent Race	9
Promoted vs. Recruited General Counsel Insights	10
Figure 2.1: Promoted vs. Recruited	11
Figure 2.2: Organization Entity by Promoted vs. Recruited	11
Figure 2.3: Previous Position by Promoted vs. Recruited	12
Figure 2.4: Outgoing GC Stay/Leave by Promoted vs. Recruited	12
Figure 2.5: Outgoing General Counsel Stay Length by Promoted vs. Recruited	13
Figure 2.6: Outgoing General Counsel Impact by Promoted vs. Recruited	13
Figure 2.7: Previous Role Provided Development by Promoted vs. Recruited	14
Figure 2.8: Source of Coaching by Promoted vs. Recruited	15
Figure 2.9: Value of Coaching by Promoted vs. Recruited	15
Promoted General Counsel Insights	16
Figure 3.1: Years in Prior Position, Promoted General Counsel	17
Figure 3.2: Made Aware of Successor Status, Promoted General Counsel	17
Figure 3.3: Years Notice of Successor Status, Promoted General Counsel	18
Figure 3.4: Interim General Counsel Status, Promoted General Counsel	18
Figure 3.5: Other Candidates Interviewed, Promoted General Counsel	19
Recruited General Counsel Insights	20
Figure 4.1: Learned About Current Role, Recruited General Counsel	21
Figure 4.2: Years in Previous Position, Recruited General Counsel	21
Figure 4.3: Same Industry Experience, Recruited General Counsel	22
Figure 4.4: Current Industry by Previous Industry Experience, Recruited General Counsel	22
Figure 4.5: Current Organization Type by Previous Organization Type, Recruited General Counsel	22
About BarkerGilmore	23



Survey Methodology

BarkerGilmore conducted an online survey in September 2023 to investigate the path legal counsel take to become senior legal leaders at the General Counsel level. The questionnaire had several logic paths based on the respondent's previous answers. It was sent to a random sample of in-house counsel at various levels of seniority within different-sized public and private organizations across the United States. Two reminder e-mails were sent after the initial request to participate. A total of 607 surveys were fully completed: 300 by General Counsel and Chief Legal Officers and 307 by aspiring General Counsel.

Only surveys that were completed from start to finish were included in this analysis. Data was analyzed in Microsoft Excel using pivot tables. Responses that indicated they were not currently General Counsel, but aspire to do so, will be included in a separate report: Aspiring General Counsel.

Confidentiality

BarkerGilmore takes protecting the privacy of those who participated in our succession survey seriously, as confidentiality is the cornerstone of our business. The information provided by survey respondents remains anonymous and will not be shared with anyone.

Key Succession Insights

Recruited General Counsel vs. Promoted General Counsel Differences

- Seventy-one percent of General Counsel were externally recruited for their current role, versus 29% that were promoted from within. The technology industry is most likely to recruit its General Counsel, whereas the industrial/manufacturing industry is most likely to promote from within. Public companies are most likely to promote their General Counsel from within. Private equity companies are most likely to recruit their General Counsel externally.
- Promoted General Counsel were most likely to have the position of Deputy General Counsel prior to their promotion. Recruited General Counsel were most likely (51%) to be a sitting General Counsel prior to obtaining their current position.

Executive Coaching and Professional Development

- Promoted General Counsel receive more professional development to prepare them for the General Counsel role than recruited General Counsel. While promoted General Counsel receive professional development at higher rates, the same types of development were received by both groups: expanded scope of responsibilities (62% promoted, 55% recruited), increased C-suite and board exposure (59% promoted, 45% recruited), leadership training (53% promoted, 35% recruited), stretch assignments (52% promoted, 28% recruited), executive coaching (43% promoted, 21% recruited).
- General Counsel receiving executive coaching are most likely to receive it from an external service provider (81% promoted, 95% recruited). Eighty-one percent of promoted General Counsel found executive coaching to be valuable or extremely valuable compared to 75% of recruited General Counsel.

Outgoing General Counsel

- The outgoing General Counsel is most likely to stay in the organization for some period of time with a promoted General Counsel (15%) versus recruited General Counsel (10%). In these cases, the departing General Counsel stayed for over a year 77% of the time for promoted General Counsel and 55% of the time for recruited General Counsel. More often than not, the outgoing General Counsel made the new General Counsel's job easier (55% recruited GC, 46% promoted GC).

Promoted General Counsel

- Sixty-nine percent of promoted General Counsel were made aware of their successor status. Most (58%) found out a year or less before the succession took place. Women were more likely than men to find out about their successor status a year or less before the promotion took place (66% versus 53%). Public companies were the least likely to alert women successors, with 67% having a year or less notice compared to 55% of men. Only 18% of promoted General Counsel served as interim General Counsel before their succession. Sixty-two percent of the time, no other candidates were interviewed when the General Counsel was promoted from within.

Recruited General Counsel

- Recruited General Counsel are most likely to learn about their position from an executive recruiter (29%). Thirty-three percent of recruited General Counsel did not have industry experience in their current position at time of hire. The industrial/manufacturing (51%) and technology (42%) industries were most likely to hire General Counsel without previous industry experience. The financial industry is most likely (85%) to recruit their General Counsel from the same industry. Public company General Counsel were most likely to come from another public company (51%).



Survey Respondents

Demographics

This section displays response rates and general characteristics of the survey.

What Title Most Closely Reflects Your Current Title/Position?

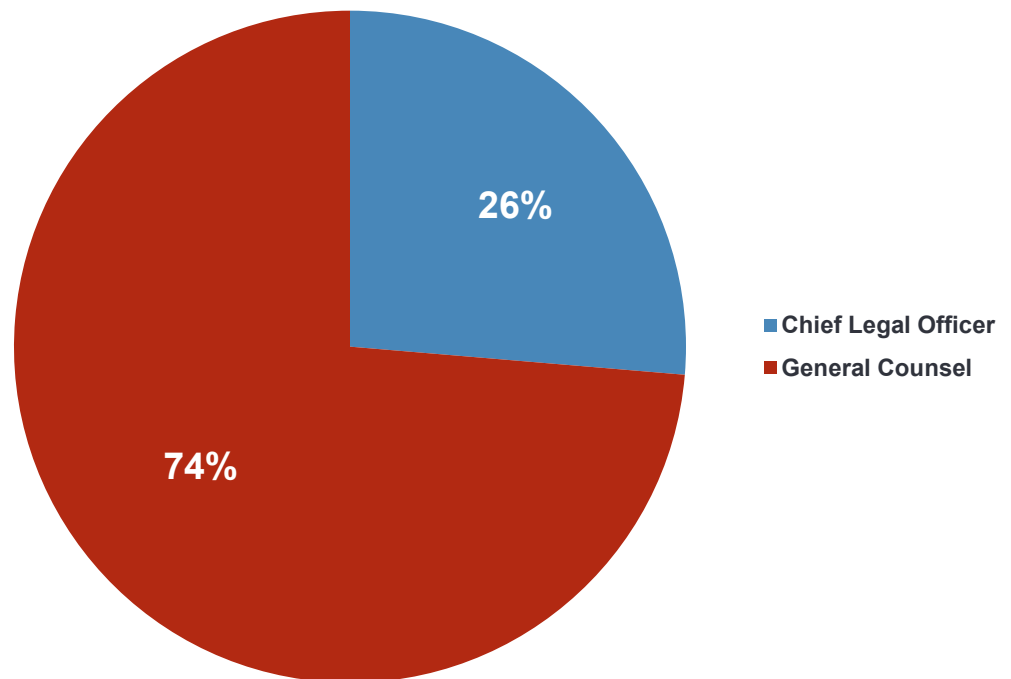


Figure 1.1: Respondents by Current Position Title

What Year Did You Earn Your JD?

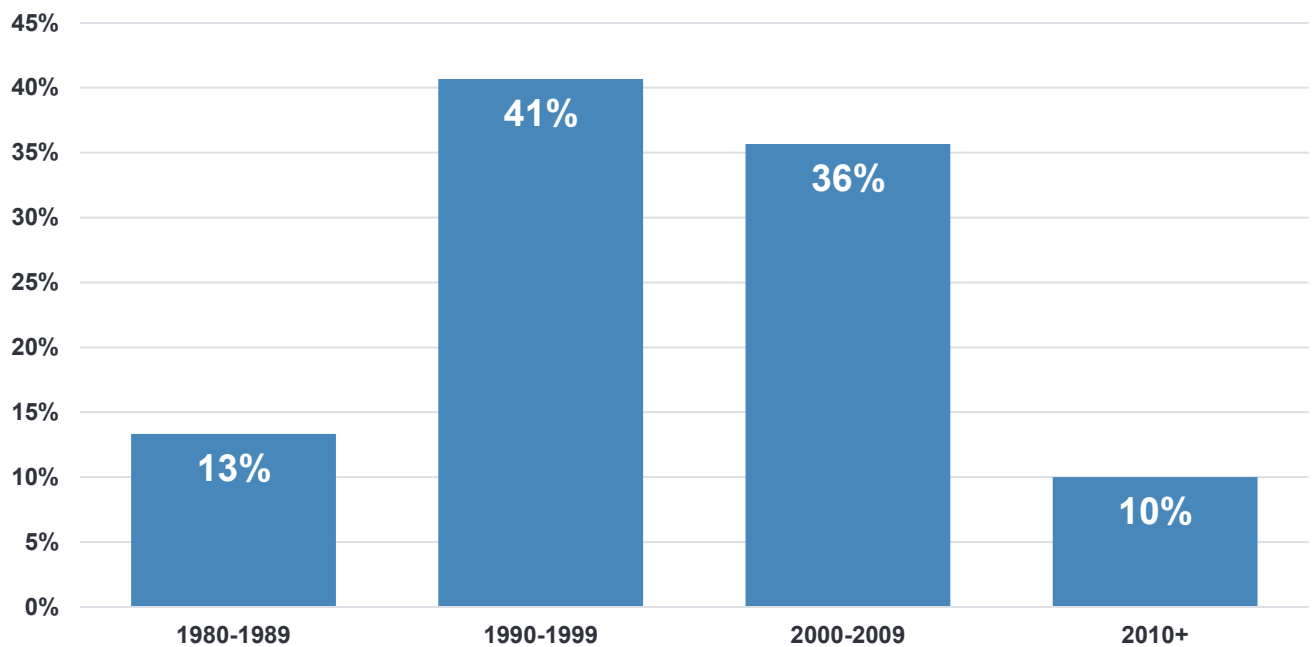


Figure 1.2: Respondent JD Year Group Range

How Many, If Any, Direct Reports Do You Have?

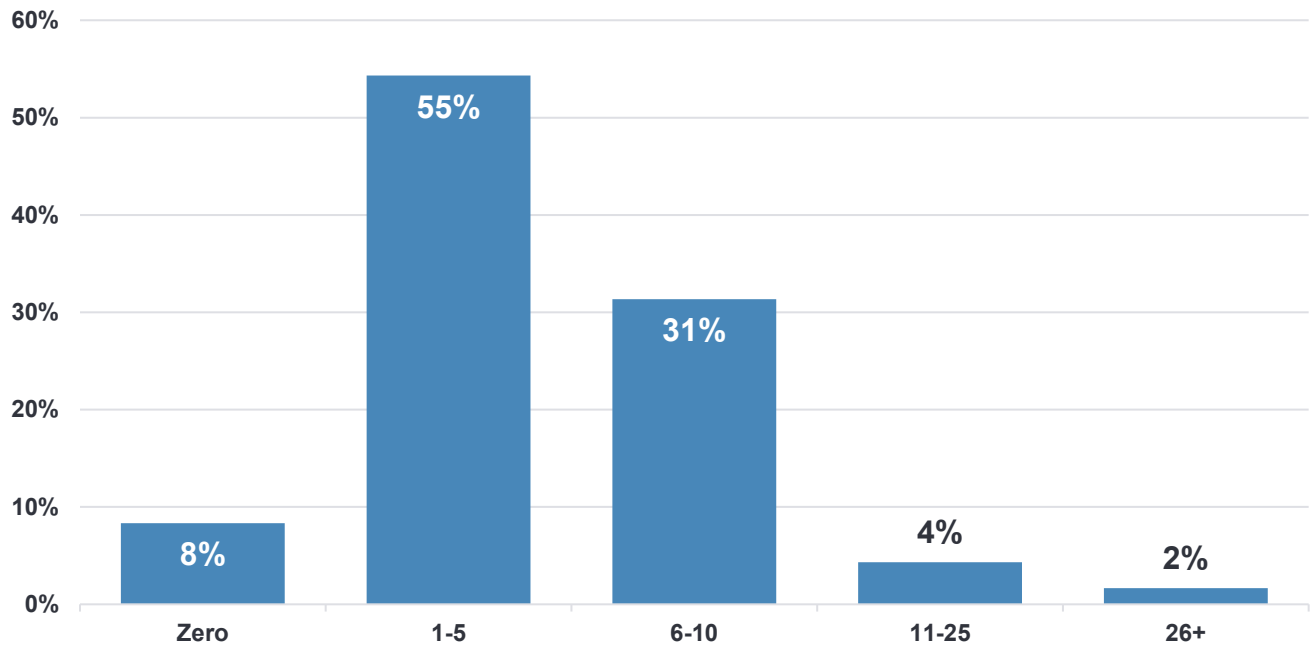


Figure 1.3: Respondent Distribution of Total Direct Reports

What Type Of Entity Is Your Current Organization?

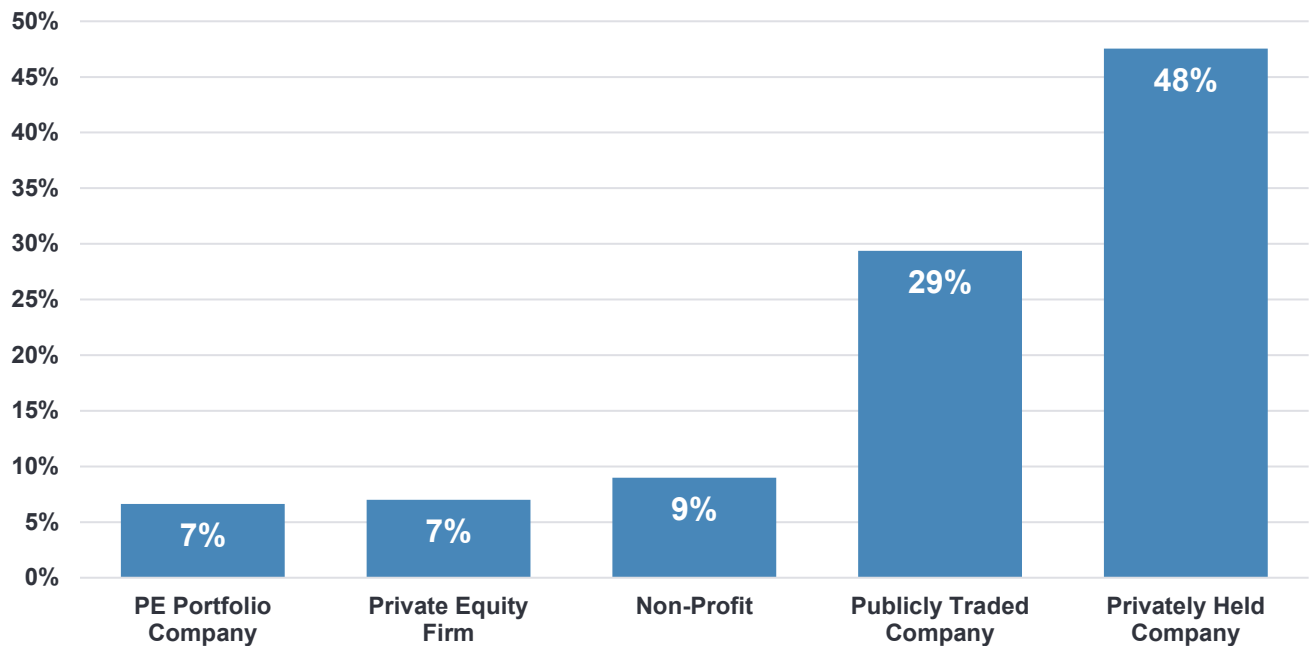


Figure 1.4: Respondent Organization Entity Type

What Is Your Current Organization's Industry?

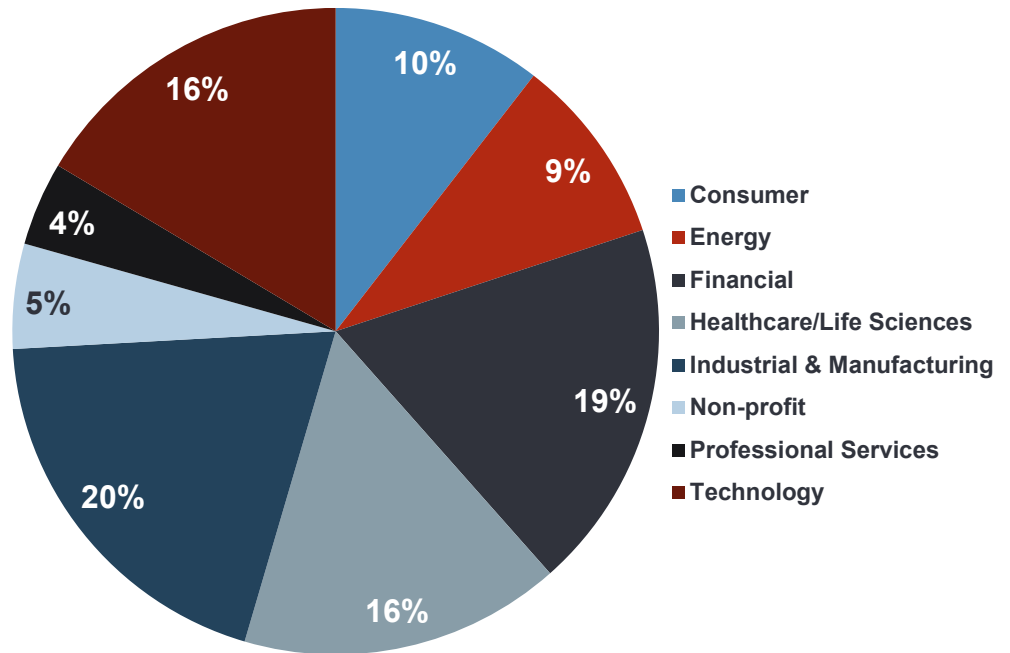


Figure 1.5: Respondent Industry

Who Do You Report To At Your Organization?

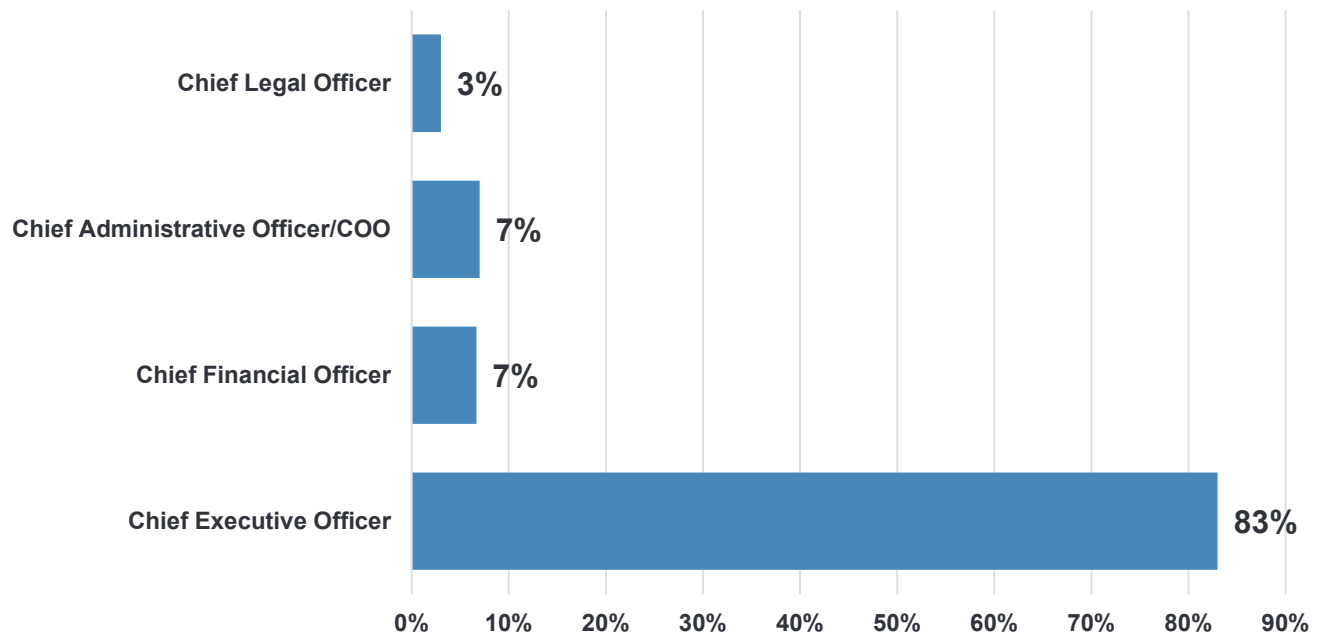


Figure 1.6: General Counsel Reporting Line

What Is Your Gender?

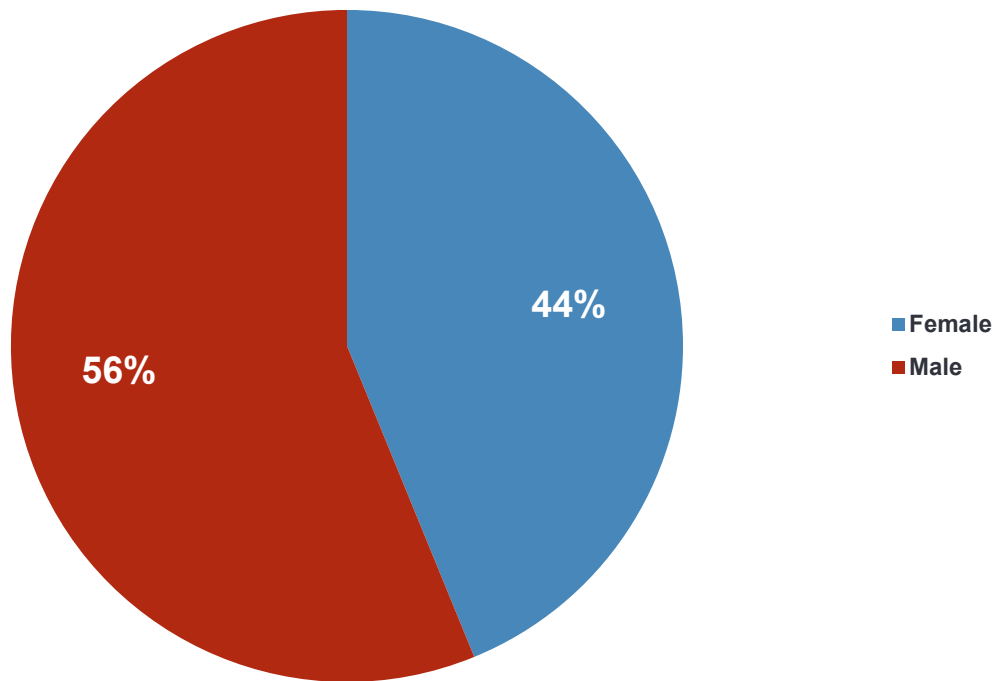


Figure 1.7: Respondent Gender Identification

Which Race/Ethnicity Best Describes You?

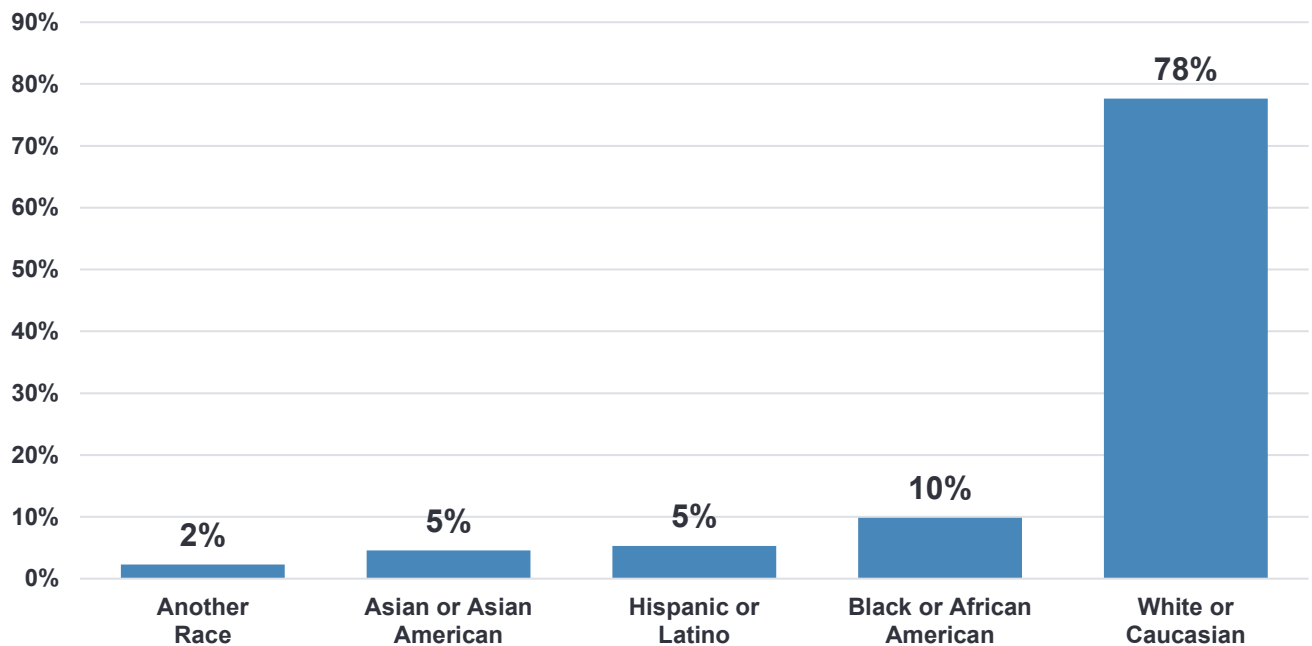



Figure 1.8: Respondent Race



Promoted vs. Recruited General Counsel Insights

In Your Current Role, Were You:

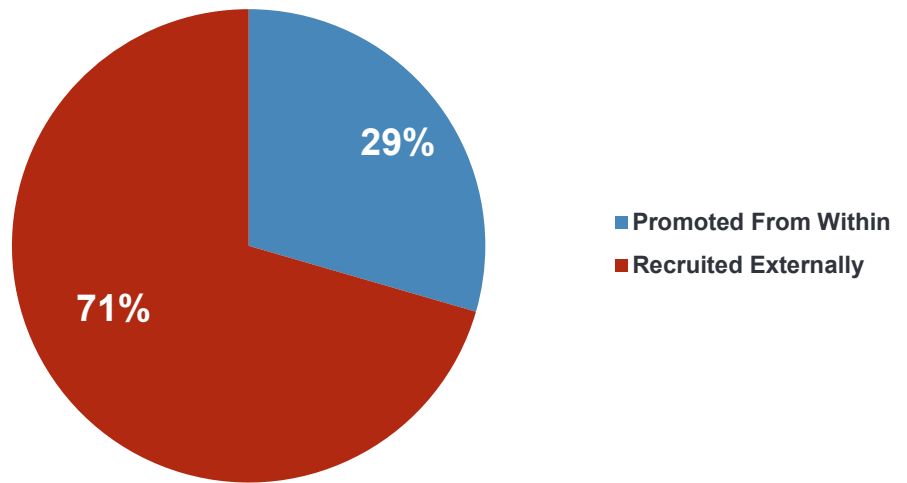


Figure 2.1: Promoted vs. Recruited

What Type Of Entity Is Your Current Organization?

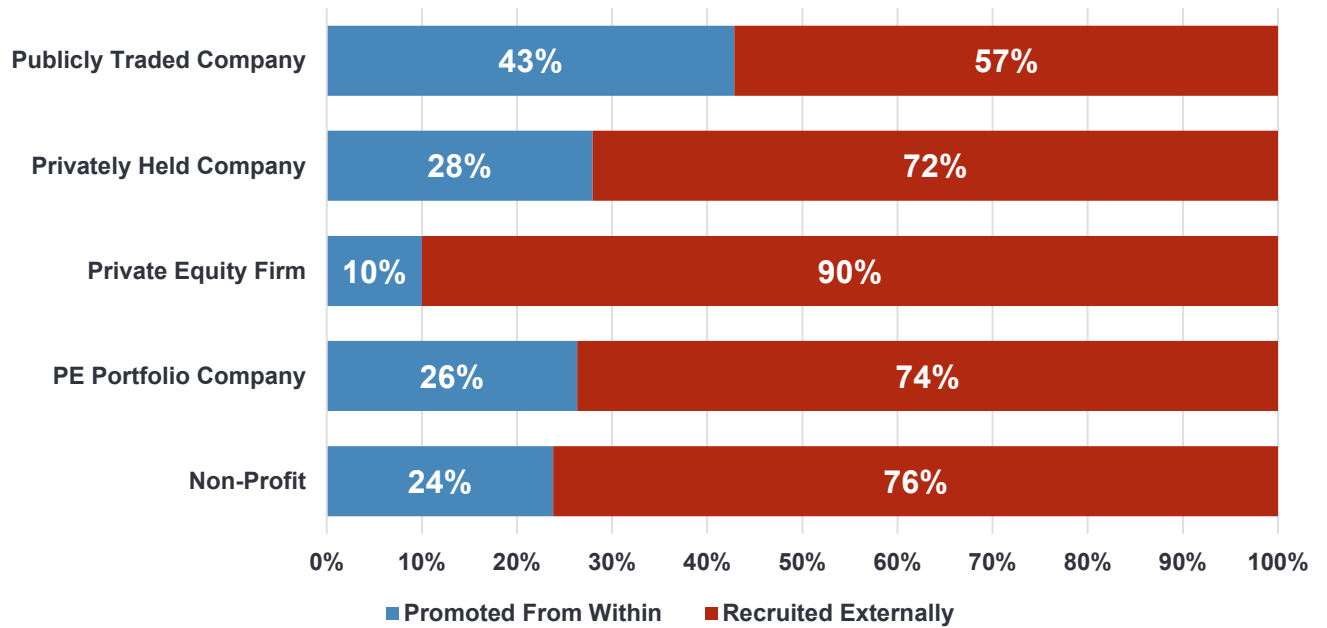


Figure 2.2: Organization Entity by Promoted vs. Recruited

What Title Most Closely Reflects The Title You Held Prior To Your Current Position?

Previous Role	Promoted From Within	Recruited Externally
General Counsel	9%	37%
Chief Legal Officer	1%	14%
Chief Compliance Officer	3%	1%
Deputy General Counsel	36%	8%
Division General Counsel	13%	8%
Regional GC	0%	1%
Law Firm Partner	1%	8%
Associate General Counsel	13%	10%
Assistant General Counsel	9%	2%
Senior Counsel	15%	11%

Figure 2.3: Previous Position by Promoted vs. Recruited

Did The Outgoing CLO/GC Stay In The Organization After You Assumed Your Current Role?

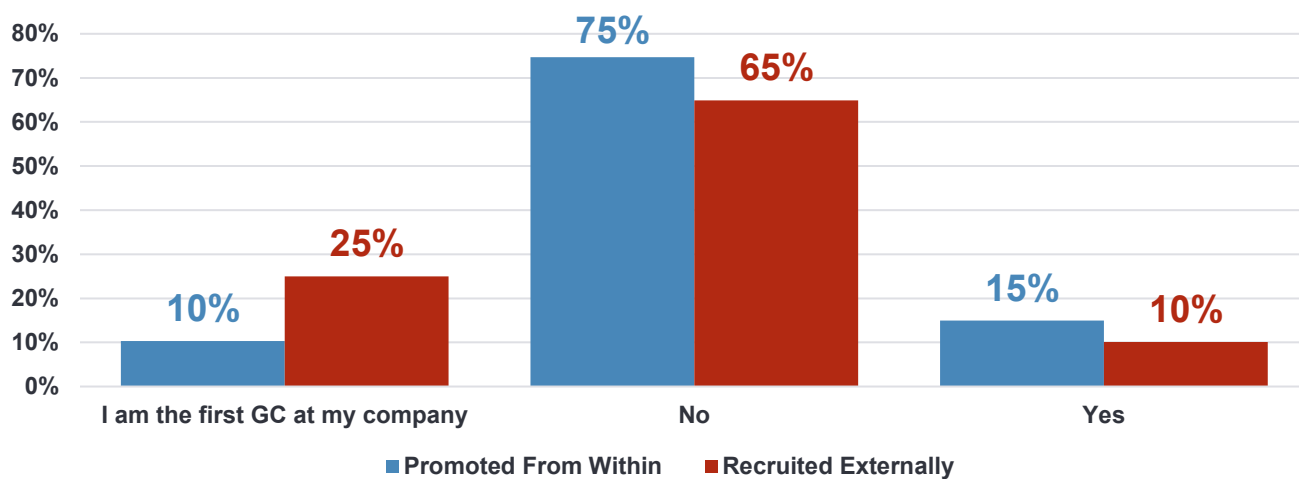


Figure 2.4: Outgoing GC Stay/Leave by Promoted vs. Recruited

How Long Did The Outgoing CLO/GC Stay In The Organization After You Became GC?

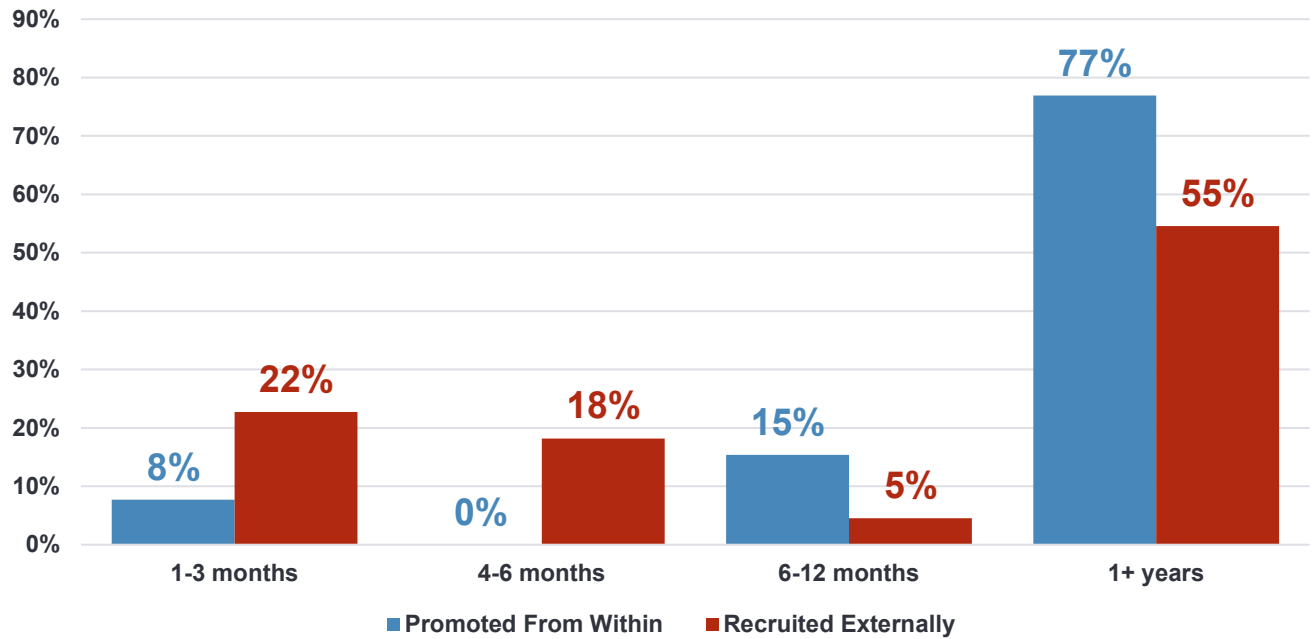


Figure 2.5: Outgoing General Counsel Stay Length by Promoted vs. Recruited

What, If Any, Impact Did The Outgoing CLO/GC Staying In The Organization For This Period Have On You?

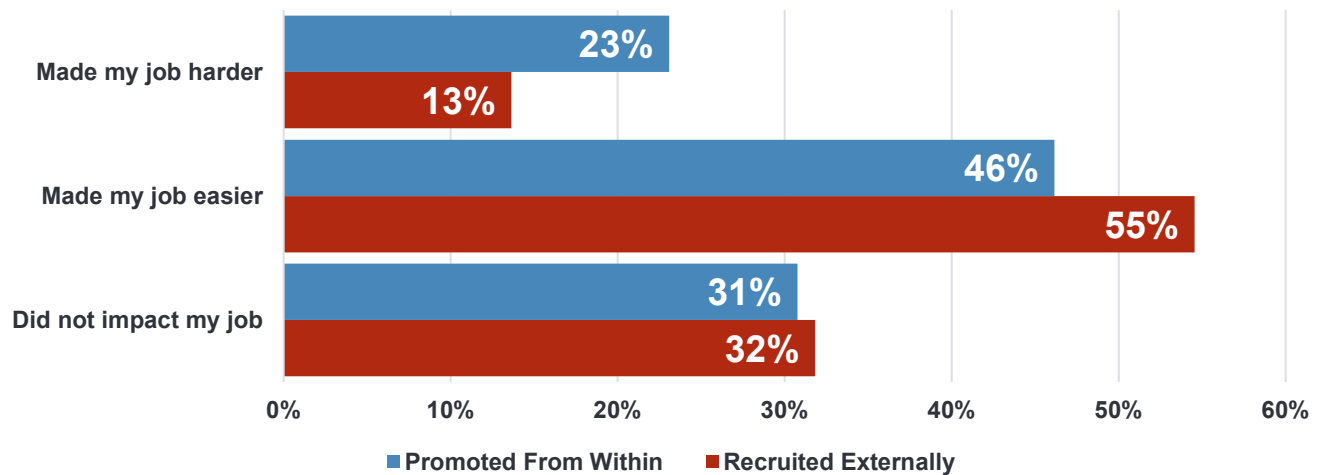


Figure 2.6: Outgoing General Counsel Impact by Promoted vs. Recruited

In Your Previous Role, Did Your Company Provide Any Of The Following?

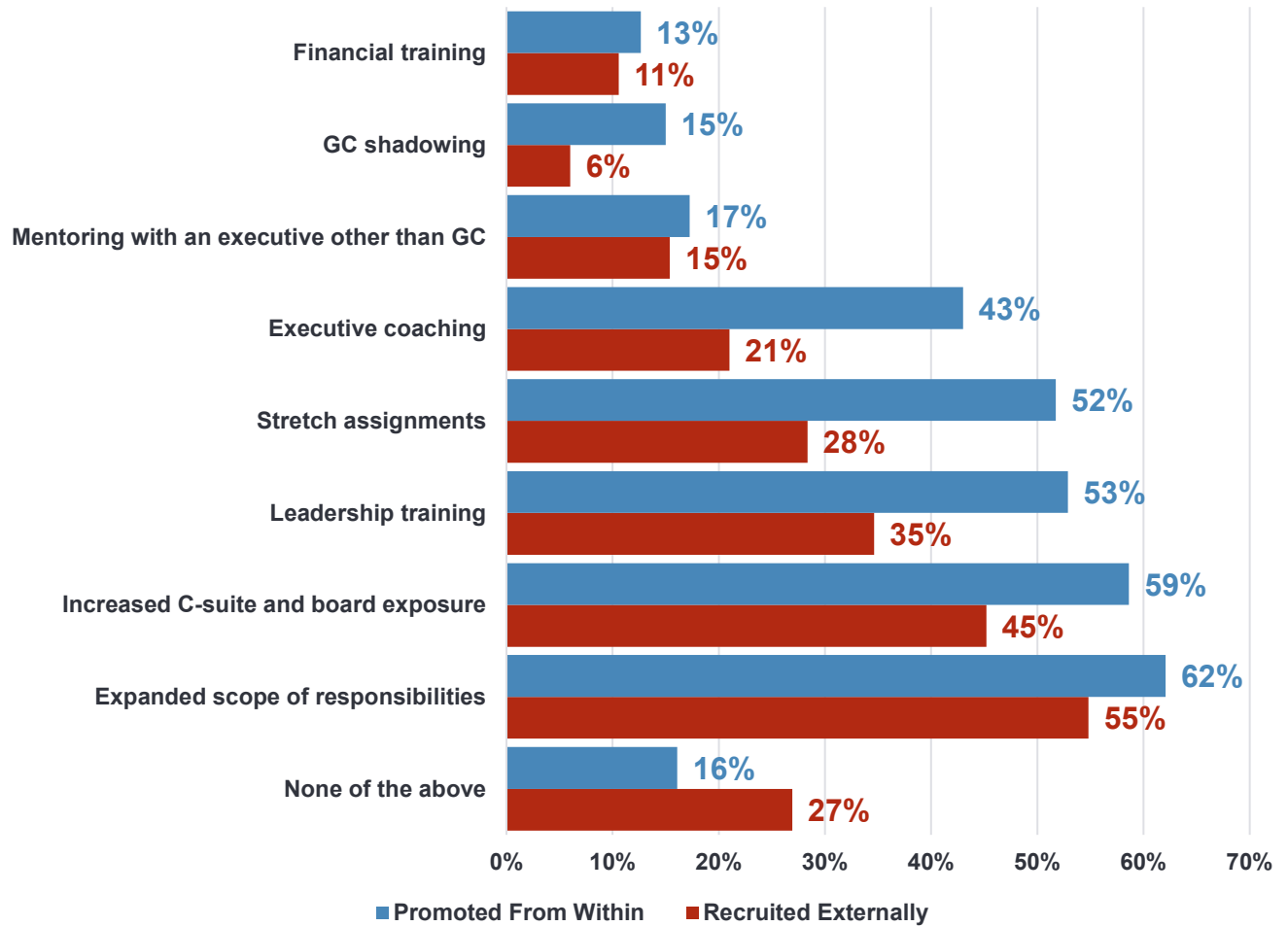


Figure 2.7: Previous Role Provided Development by Promoted vs. Recruited

Was The Coach An Employee Of The Organization Or An External Service Provider?

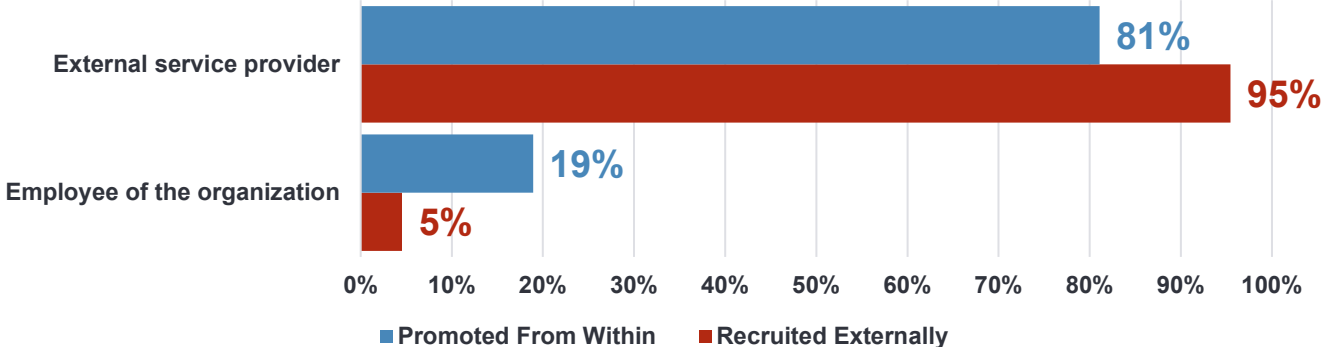


Figure 2.8: Source of Coaching by Promoted vs. Recruited

How Valuable Was The Coaching?

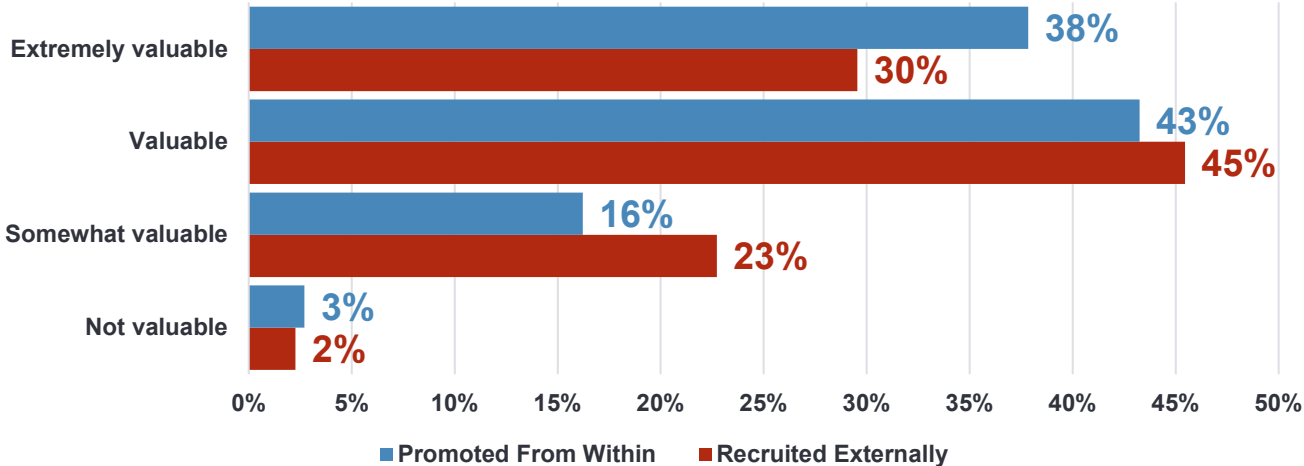


Figure 2.9: Value of Coaching by Promoted vs. Recruited



Promoted General Counsel Insights

How Many Years Were You In Your Prior Position?

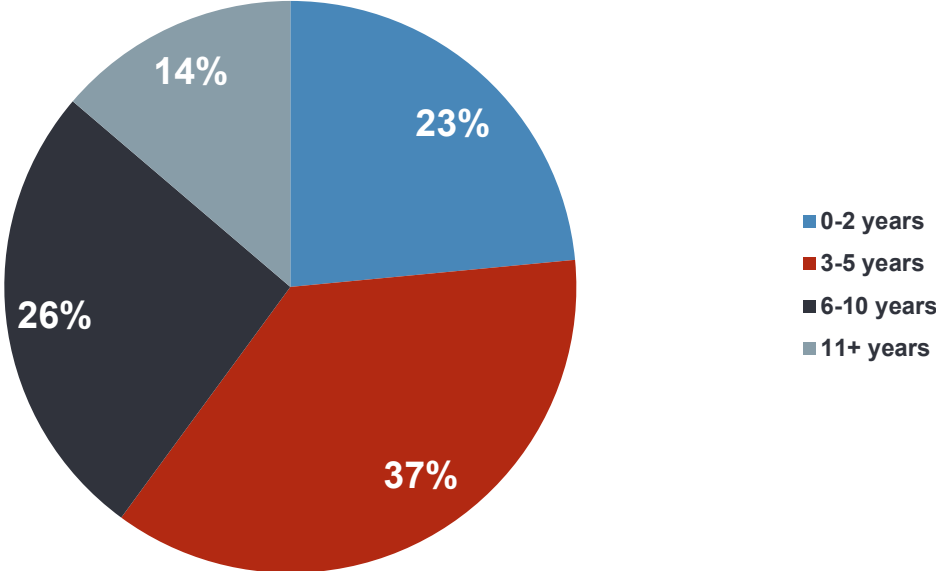


Figure 3.1: Years in Prior Position, Promoted General Counsel

Did Management Let You Know In Advance You Were A Potential Successor To The GC?

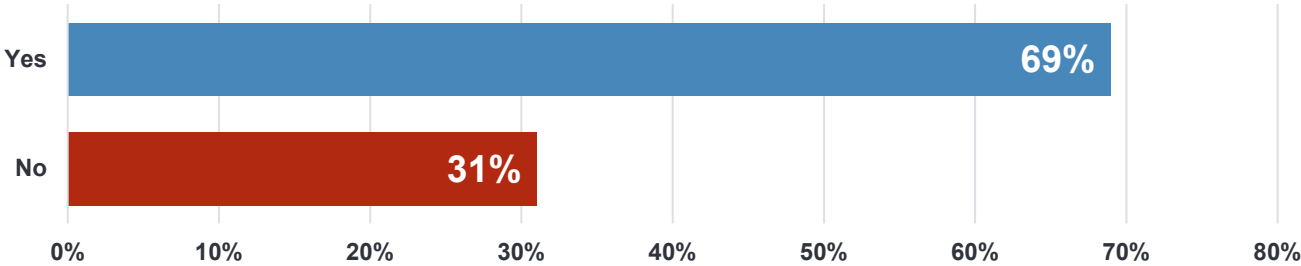


Figure 3.2: Made Aware of Successor Status, Promoted General Counsel

How Many Years In Advance Did They Inform You Prior To Your Promotion?

Years Notice	Overall	Overall		Public		Private	
		Women	Men	Women	Men	Women	Men
0	35%	35%	35%	11%	44%	46%	29%
1	23%	31%	18%	56%	11%	8%	29%
2	22%	15%	26%	22%	17%	15%	28%
3	12%	11%	12%	11%	17%	15%	7%
4+	8%	8%	9%	0%	11%	15%	7%

Figure 3.3: Years Notice of Successor Status, Promoted General Counsel

Were You Interim General Counsel Before Promotion?

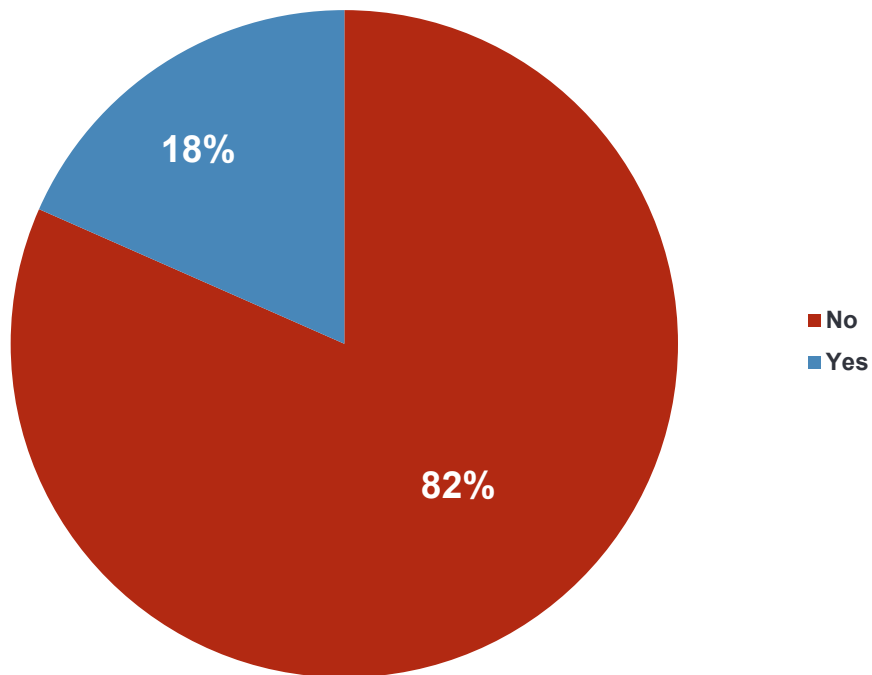


Figure 3.4: Interim General Counsel Status, Promoted General Counsel

Were Other Candidates Interviewed?

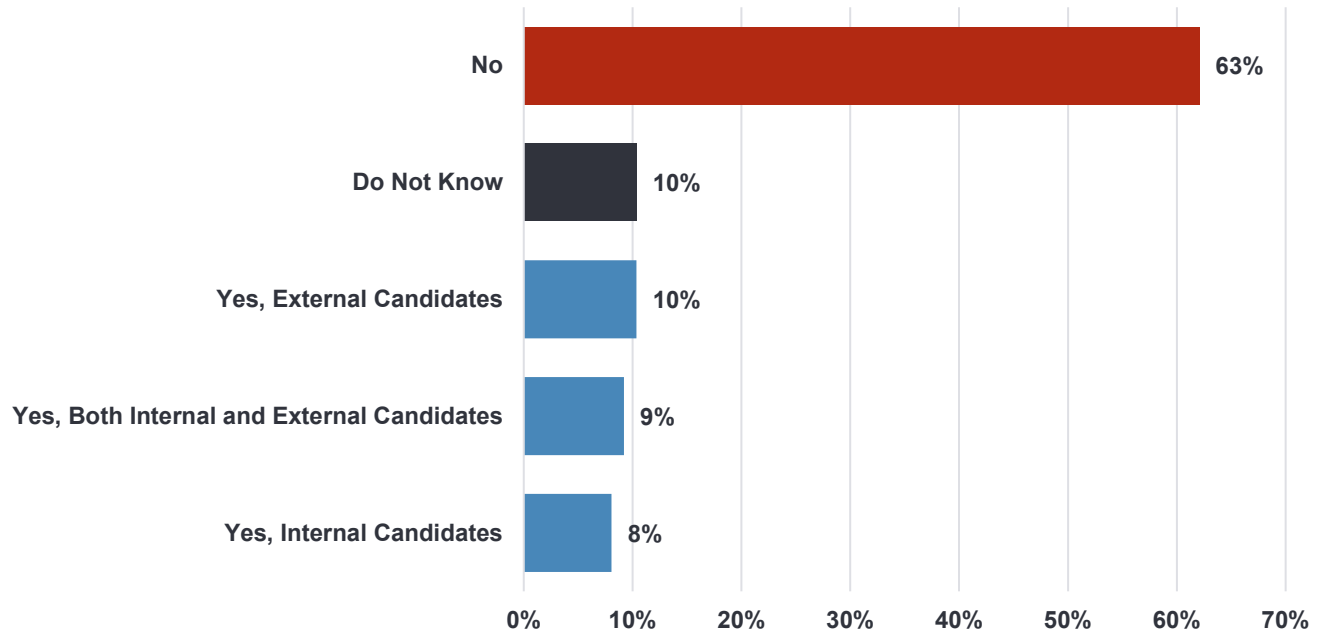


Figure 3.5: Other Candidates Interviewed, Promoted General Counsel



Recruited General Counsel Insights

How Did You Learn About Your Current Role?

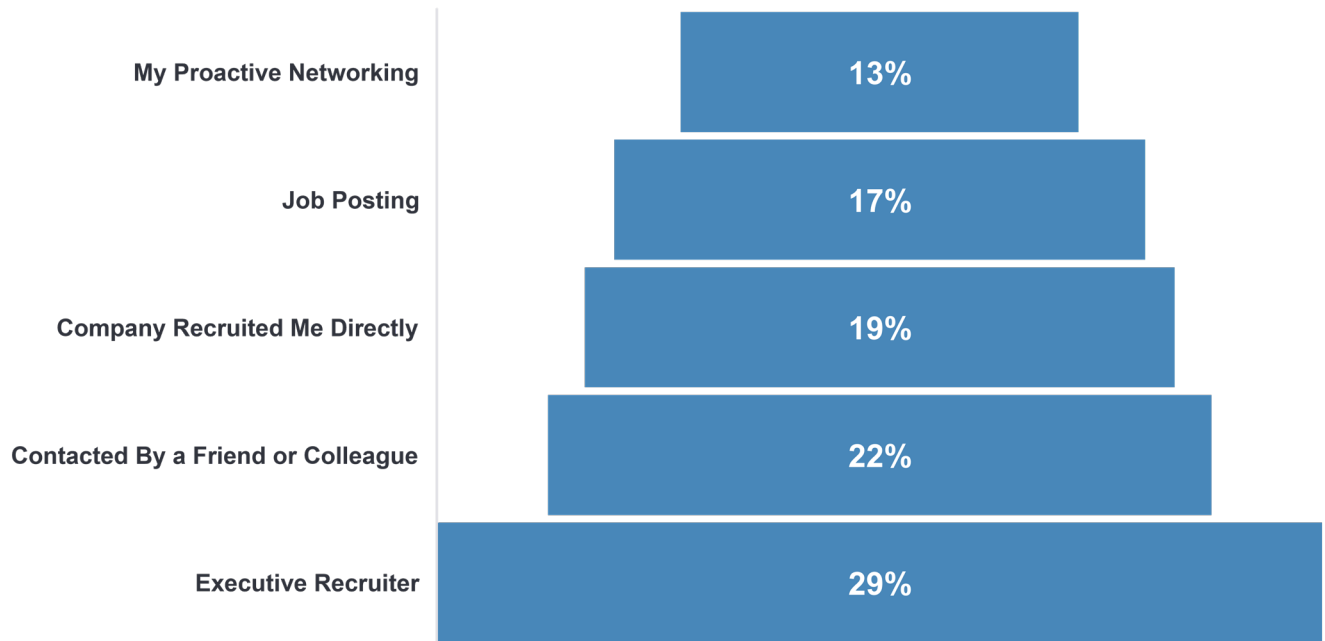


Figure 4.1: Learned About Current Role, Recruited General Counsel

How Many Years Were You In Your Prior Position?

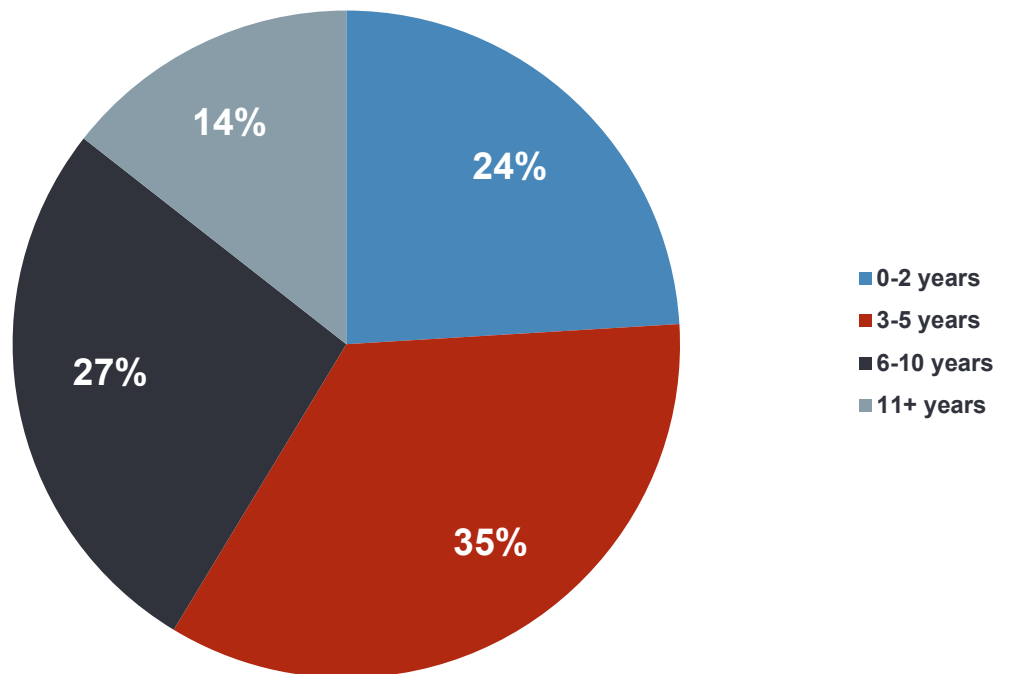


Figure 4.2: Years in Previous Position, Recruited General Counsel

Did You Have Experience From Within The Same Industry As Your Current Organization Prior To Assuming Your Role?

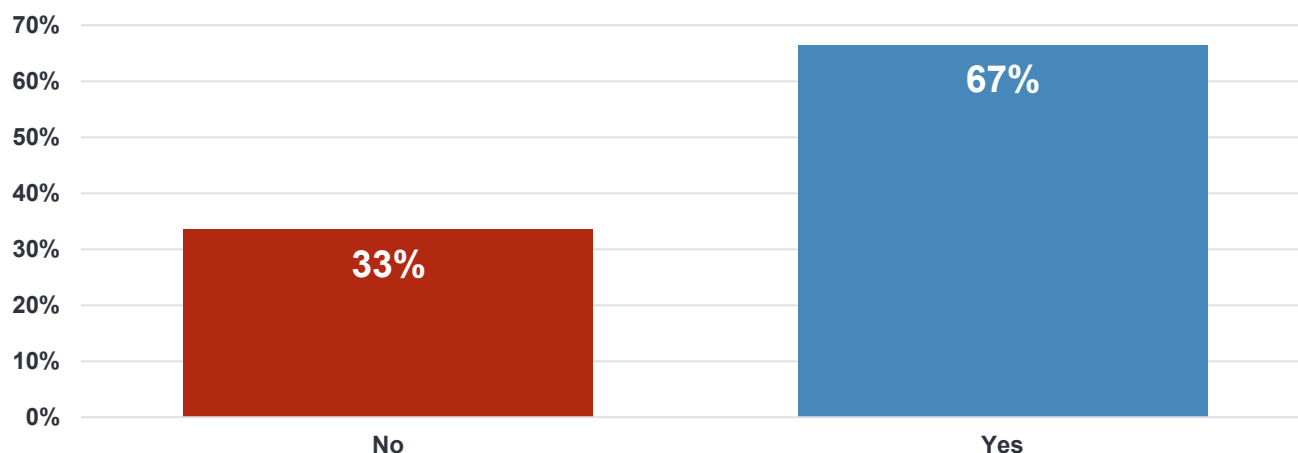


Figure 4.3: Same Industry Experience, Recruited General Counsel

Current & Previous Industry Experience, Recruited General Counsel

Current Industry	Previous Industry Experience	
	No	Yes
Consumer	35%	65%
Energy	24%	76%
Financial	15%	85%
Healthcare/Life Sciences	24%	76%
Industrial & Manufacturing	51%	49%
Non-profit	38%	62%
Professional Services	33%	67%
Technology	42%	58%

Figure 4.4: Current Industry by Previous Industry Experience, Recruited General Counsel

Current & Previous Organization Type, Recruited General Counsel

Current Organization	Previous Organization			
	Law Firm	Non-Profit	Privately Held	Publicly Traded
Non-Profit	31%	60%	3%	3%
PE Portfolio Company	3%	0%	11%	5%
Private Equity Firm	10%	20%	13%	5%
Privately Held Company	48%	20%	66%	37%
Publicly Traded Company	7%	0%	8%	51%

Figure 4.5: Current Organization Type by Previous Organization Type, Recruited General Counsel



About BarkerGilmore

BarkerGilmore is a boutique firm recognized by CEOs, boards, and executives as best-in-class legal and compliance executive search consultants, GC/CCO advisors, and leadership coaches. With a network of advisors and recruiters spanning the United States, BarkerGilmore's client roster includes leading consumer, energy, financial, healthcare, industrial, and technology companies.

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