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MIND YOUR BUSINESS

## *How to Pivot Your Career: Transitioning from a federal prosecutor to private practice*

BY MARK HENRY ISHU

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For nearly 15 years, my identity was intertwined with my professional role as a public servant. I worked as a trial attorney in the U.S. Department of Labor's regional solicitor's office in Chicago, representing the government in OSHA, MSHA, wage and hour, whistleblower and ERISA matters.

Before that, I was an assistant attorney general for the state of Illinois, representing agencies such as the Illinois DOL. My mission was clear: protect workers and enforce the law.

Leaving that world wasn't something I had ever considered. When I joined a private firm's OSHA practice in April 2023, the timing was, in many ways, lucky—the right opportunity came at the right moment. And yet stepping away from public service was one of the most difficult personal and professional choices I've ever made.



## The challenge of letting go of

*Mark Henry Ishu.*

### **‘government you’**

Over time in government service, your professional identity can merge with the institution, as your credibility comes as much from the office and seal you represent as from your own record. Thus, when I left the DOL, the hardest part wasn’t adapting to billable hours or time tracking but the psychological shift of learning to speak for myself again.

Government lawyers live by structure—rules, deadlines and clear missions. Private practice, by contrast, demands flexibility, judgment and an awareness of the business realities behind every legal question. The mindset shift is real: In most government jobs, neutrality in service of the public interest is the goal; in private practice, it’s client advocacy. And

advocacy, I've learned, means more than argument—it's problem-solving: helping clients prevent mistakes, manage crises, and find practical ways forward when things go wrong.

But leaving government doesn't mean abandoning your values. The habits of fairness, preparation and public purpose that drive good government lawyering translate beautifully into private practice. You don't discard your values; you repurpose them.

## Rebranding without reinventing

After years of introducing myself as a prosecutor, I had to rethink how to describe what I do. I wasn't switching sides so much as changing vantage points. My new role was to help employers understand and comply with the same laws I once enforced.

That meant careful rebranding. I began by asking: How could my government experience continue to serve a meaningful purpose? The answer was by helping others navigate those same systems more effectively. Understanding how agencies evaluate evidence, how discretion is exercised, and how enforcement priorities shift helps clients engage more responsibly.

I updated my bio and professional materials not to distance myself from my past but to show continuity—how those years of public service inform every piece of advice I can now offer. Writing and speaking about OSHA compliance from an employer's standpoint helped me continue translating enforcement experience into prevention.



# Business development without a book of business

I quickly learned that the title change from “government lawyer” to “private practitioner” does not come with a built-in rainmaking feature. I picked up one significant client early on through former government contacts, but that early success did not mean I suddenly understood business development. Most of what I have learned over the last three years in private practice has come from working alongside partners with established client relationships and seeing—up close—how business development actually works.

Former government colleagues have been one of the most meaningful sources of early work. Many are now in private industry, consulting, compliance or in-house roles, and those relationships carried over because they were built on trust long before anyone talked about clients or referrals. Staying in touch and remaining part of that professional community has quietly led to opportunities I could not have created through marketing alone.

Having a mentor at the firm who is strong in business development has been critical. Watching how they cultivate relationships, stay visible and follow up has shaped how I think about building my own practice.

For me, brand building has meant gradually putting myself out there in ways that feel natural—writing, participating in webinars, speaking, engaging in bar association activities and maintaining professional visibility. LinkedIn has become a low-pressure form of quiet visibility for me—sharing articles, webinars and key legal developments—so that when someone in my network eventually needs help, they remember I’ve been thoughtfully engaged with the issues they face.

## Adjusting to a different rhythm

The daily pace of private practice takes getting used to. In government, success often means seeing a case through to conclusion—winning at a hearing, ensuring compliance or achieving restitution. In private practice, success often means preventing a case from existing at all.

That's not "whiplash"—it's evolution. You learn to measure outcomes differently. Helping a client correct a potential hazard before it becomes a problem or advising on a policy that averts a lawsuit can be just as satisfying as litigating a case to verdict.

But make no mistake—litigation still drives much of my practice. The years I spent trying cases for the government—working with testifying experts, conducting hundreds of depositions, building records from the ground up—prepared me to advocate just as vigorously from the defense table. The difference now is that I use those same skills not only to win cases but to help clients avoid the next one.

## Carrying public values into private work

Many government attorneys worry that leaving public service means giving up their sense of purpose. My experience has been the opposite. The private sector offers countless ways to apply the same values—just with a different audience.

When I counsel employers facing OSHA investigations or whistleblower complaints, I consistently draw upon my time at the solicitor's office. I know how investigators think, how cases develop and how tone and transparency can shape an outcome. My goal isn't to "beat" the government for sport—it's to advocate effectively, credibly and strategically, so clients are treated fairly and their workplaces improve in the process, ultimately helping employers, employees and the broader workplace landscape.

The most successful companies are those that treat regulation not as punishment but as guidance. Helping them reach that understanding feels, in many ways, like an extension of my old mission—to make workplaces safer, fairer and more compliant.

## Practical advice for lawyers considering the jump

If you're a government lawyer thinking about private practice, a few practical steps can help smooth the path.

- **Reconnect before you resign.** Reach out to former colleagues, mentors, opposing counsel and professional associations while you're still in public service. Those relationships will become your first network of referrals, references and reality checks.
- **Translate your record into results.** Don't just describe what you did—describe what it achieved. If you've tried cases, emphasize judgment, clarity under pressure and your ability to turn facts into persuasive narratives.
- **Seek a platform that values your experience.** Find a firm that appreciates your government background—not just the credibility that comes with it but for what it adds to client advocacy and litigation strategy.
- **Keep your trial instincts sharp.** You may advise more, but your courtroom discipline—organization, preparation, cross-examination—remains your edge.
- **Remember that purpose travels.** Public service isn't a job title—it's a mindset. Whether you're enforcing the law or helping others follow it, the mission remains the same: integrity, fairness and improving the systems you touch.

## A quick wrap-up

Leaving government was one of the most difficult—and fortuitous—decisions I've made. But I've learned that the purpose that drives government lawyers doesn't vanish when you change offices. It follows you—into every client meeting, every cross-examination and every moment you help someone do the right thing before they have to.

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