

Business & Careers

Why lawyers move on



Warren Smith
The Headhunter

As a recruiter, I have had the opportunity to work with many partners as they begin their transition to their new firm, witnessing the excitement and thrill of taking their practice to a new level with a firm better aligned with their personal, professional or client goals.

In working with partners through this transition, I've also had the opportunity to witness what challenges they've faced—both at their former firms, and occasionally with their new firm—and which challenges most commonly result in a partner making the difficult decision to move on from their firm.

There are three issues we see that commonly cause partners and law firms to part ways.

The most common issue that leads to attrition is where a lawyer's expectation of their firm fails to align with actual outcome. Often, these expectations are falsely set up when they are either joining the firm or assuming a new role in the firm, as firms promise a myriad of outcomes in a bid to woo a partner to their cause, but have no clear plan attached to implementing or achieving those promises.

Confirming expectations both ways (what the firm expect of a partner, and what the partner expect of the firm) is critical in the early stages of a new hire, as it will greatly affect a partner's perception of how the new firm is working out.

I have worked with many partners who have stepped into challenging situations, but because there was clarity on what those challenges would be from the outset, they weren't surprised or out of alignment with the firm as they worked through issues. These partners, despite the challenges before them, continue to work with the firm, and in some cases thrive on the challenge once clearly defined.

Conversely, I've watched otherwise successful partners become highly frustrated with their firm, as there was clear miscommunication between the parties at the outset as to what the deliverables were on a particular initiative or firm goal—be it on firm resources, clients, billable expectations, or even compensation. The best firms create a clear plan, with defined deliverables by both parties, with a set timeline.

Moreover, they ensure one partner has ownership over the process on behalf of the firm. Having one partner (versus a group) ensures accountability on the deliverables, and will ensure a partner knows who to speak with at the firm should things go off track.

One of the challenges lawyers frequently face is the willingness to provide clear feedback on internal issues affecting themselves and their practice. This goes both ways—both lawyers and law firms are prone to speak in generalities and platitudes, allowing people to make incorrect inferences that can ultimately lead to a dis-



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connect. While it may be tempting to avoid confrontation by speaking in general terms, this more typically delays, rather than avoids, a conflict.

Delay regularly leads to greater conflict—if left unchecked, it can ultimately result in a partner leaving the firm. With lateral recruits, clear communication is all the more important, as the foundation of goodwill is not yet built. New recruits may also not understand their new firm's shorthand—be especially mindful of any language that is subject to interpretation. For example, one firm's definition of a "small marketing budget" might be quite different from another. Clear communication by the firm to partners also establishes the standard by which they will be held accountable.

Another common issue is where a firm's stated goals don't align with its actual goals—firms may say they value a holistic approach to firm involvement that takes into account all types of contribution (billable and non-billable), but in reality their compensation model directly rewards productivity, and little else.

Similarly, a firm may say it envisions a deeply integrated, national platform, but offices rarely refer clients internally (or worse, partners refer work to other law firms in markets where they already have an office). Seeking out regular, candid feedback on goals alignment from firm lawyers (and possibly those who have left) is critical in ensuring your message to potential recruits aligns with the reality they face upon arrival. Failure to do so can lead to hiring the wrong people for your firm, or worse, causing the right people to leave because they feel they were recruited to the wrong firm for them.

As always, the key remains clarity and vigilance on the complex nuances associated with managing a professional services firm. Also appreciate no firm is doing this perfectly—but ensuring the leadership of your firm is alive to these issues can greatly reduce dissension and attrition in your partnership ranks over time.

Warren Smith is the managing partner of The Counsel Network, Canada's oldest lawyer recruitment and career consulting firms. He is also the first Canadian to be elected president of the National Association of Legal Search Consultants (NALSC), North America's leading legal recruitment industry association. Follow him on twitter @lawheadhunter.

ANNOUNCEMENTS



DAPHNE H. HOOPER, ASSOCIATE



KYLE R. TAYLOR, ASSOCIATE

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Affleck Greene McMurtry LLP is pleased to announce that **Daphne H. Hooper** and **Kyle R. Taylor** have joined the firm as **Associates**.

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