

Career Development: A Two-Way Street

According to management guru Tom Peters, a professional's career today can mean as many as 10 jobs, in five companies or firms, in three industries. Young professionals—including your associates—are on the move. That makes keeping the keepers, and finding new leaders, a huge challenge for law firms. At the same time, finding a career that is stimulating and rewarding is a huge challenge for lawyers. Talent is the key component to competitive advantage. Help your lawyers build their skills and develop their careers, and both they and the firm will reap the benefits.

How to do it?

Karen MacKay led a discussion that resulted in a wealth of wide-ranging ideas on the issues involved in career development planning.



by Karen MacKay, MBA, CHRP
President

Who's in Charge of a Lawyer's Development? April 2004 Law Practice 49

KAREN MACKAY: What responsibility do individual lawyers have in planning their careers? And what responsibility does the firm have in that process?

STEWART WHITTINGHAM: In his book *True Professionalism*, David Maister says:

"Remember, planning your career is up to you not your firm. If your career path doesn't work out, the results will be a lot more painful for you than for your firm."

Although I agree that each lawyer must play a key role in his or her development, the firm must serve as a resource. Competencies, performance reviews and development plans facilitate twoway communication to help align a lawyer's strengths and interests with the firm's strategic direction.

CAREN STACEY: Only the individual truly knows what drives him or her, so it's really that person's responsibility to plan his or her career. However, realizing that the path to partnership is paved with uncertainty in today's market, it is in the firm's best interest to share this burden of responsibility by providing information about career options. This proactive guidance can help lawyers choose the right path and move toward a positive end result, ultimately benefiting the individual and the firm.

JIM HARGARTEN: I agree that it is the associate's ultimate responsibility. However, we must provide the resources to help associates walk down that path. While doing so, we must fully understand that for many, this path will ultimately lead them elsewhere, and that's okay.

LISA KEYES: For both associates and partners, career development requires initiative. The firm should provide information about its strategic direction and provide support for achieving success within that framework.

It's a Two-Way Balancing Act.

MACKAY: There is a tremendous investment involved in developing people. How do you

balance the needs of the firm with the needs of the individual?

HARGARTEN: A natural economic tension exists within the firm when it comes to the investment. It is the role of mentors, practice group chairs and professional development departments to address this tension.

WHITTINGHAM: Our professional development philosophy promotes a balance between the needs of the firm and the needs of our lawyers. We feel that our lawyers will learn the most by practicing law, talking to other lawyers, interacting with our clients, reading in an effort to keep current, and attending a strategic mix of in-house and external CLE programs. This philosophy demands responsibility on the part of the firm. However, there is also a responsibility on the shoulders of each individual lawyer.

STACEY: ***Balance can be achieved through two-way communication. Only firm leadership knows what it is planning. Only associates know what they would like to get out of it. Until these two discuss their interests, a gap remains.*** We try to ensure that the different interests are working together, so the recruiting committee is interconnected with the professional development and evaluation committees. This keeps communication open and helps everyone work toward the greater goal—lawyer and client satisfaction.

KEYES: One way to facilitate that two-way communication is to have associates and partners interacting together on committees. This is where one learns how consensus is forged, how decisions are made and what the responsibilities are of everyone involved.

The Benefits Carry Over to Alumni Relationships

MACKAY: ***A career lasts perhaps 40 years. Your people should be in your recruiting database, then in your professional development database and then in your marketing database.***

How do your firms continue the relationship with the people who become alumni?

KEYES: We formally contact alumni at least twice annually. And alumni who are clients are often invited to in-house CLE programs. We also host a monthly electronic luncheon for clients, some of whom are alumni. Recently, we sponsored a program that included a panel of alumni who are now clients. We discussed the key attributes relevant to the decision to give work to outside counsel. That was a great way to show those alumni what we are doing to develop our current lawyers and to deepen relationships.

HARGARTEN: That raises a critical point. Indeed, the majority of my current clients are former associates. I think firms sometimes set expectations too high—assuming that all new associates will be with the firm for the long haul. It is important to be prepared that this may not be the case. Give associates the best training, guidance and development that will assist them when they leave and then stay in contact with them. That way, they will become a huge resource.

STACEY: Our goal is to take a proactive approach early to help associates choose the best career path. Ultimately, if they choose advancement externally, we offer resources to assist in their next endeavor. We are now hiring a career development specialist who will work full-time with lawyers to develop individual career and professional planning. If a lawyer decides against partnership, or realizes that partnership is infeasible at this time, that person has an outlet in the firm to help decide the best next step and discuss options outside of the firm.

WHITTINGHAM: More and more firms are acknowledging the importance of being proactive in professional and career development initiatives. The theme of our 2003 First-Year Associate Academy was "Taking Charge of Your Career." We discussed career action plans, short- and long-term planning and the importance of fluidity. Although the goal for our associates is partnership, we understand that some will become alumni. Our firm maintains an alumni database and organizes an annual alumni event. Our culture lends itself to these ongoing relationships.

How Do You Deal with the Naysayers?

MACKAY: Playing antagonist now, what do you say to partners weary of training and investing in associates only to have them leave?

STACEY: I'll respond with the old saying, "What if you train them and they leave? Well, what if you don't and they stay?"

KEYES: I say partners in large firms will only succeed if they delegate work to associates and leverage themselves. There really is no choice. Recognizing that some will leave, you look for other returns. If you have invested in associates, they may one day invest back in your firm.

HARGARTEN: Ultimately, we are going to have people who will remember the firm fondly as they move on to their own careers.

WHITTINGHAM: I agree. Firms must evaluate the investment in their lawyers' ongoing development from a very optimistic perspective. We should always remember that our lawyers may one day be our clients.

Clients Can Join in the Process

The roundtable members all strongly believe that firms should formalize a career development plan around the following basic components:

- An introduction to the firm and its practice,
- A clear description of expectations,
- An effective mentoring program,
- Performance evaluations as a development planning tool,
- Substantive legal training.
- Development of management and leadership skills

Variety in Associates' Workloads: Constructive and timely Feedback April 2004 Law Practice 51

MACKAY: Are your firms partnering with key clients in the development of both young professionals and the young lawyers in the clients' legal departments?

KEYES: Some clients are taking a stronger interest in working together to develop a training curriculum, such as a practical litigation series, for example. None of these have come to complete fruition yet, but I am seeing more interest in the clients wanting to do it.

STACEY: We invite our clients to many of our in-house programs and sometimes conduct programs specifically for clients. Many of our clients rely on us to provide

annual training, and sometimes CLE credit, to meet professional development needs.

HARGARTEN: We have implemented an innovative “Client Satisfaction Program,” in which we take a weekend to bring senior associates together with about a dozen clients. We listen to clients evaluate law firms and do some role playing. Our clients love it, and it provides a good experience for all involved.

WHITTINGHAM: In addition to offering CLE programs for clients, we have invited clients to attend programs developed for our lawyers. We also publish and distribute “Issue Profiles” that focus on current legal issues. And recently, a client participated in an in-house client service program that proved to be a great success.

Where Are Some of the New Training Grounds?

MACKAY: Do you have innovative ideas for career development that you’d like to share?

WHITTINGHAM: We developed a program titled “Make Yourself an Expert.” Participation is currently voluntary. Essentially, individuals have the opportunity to learn everything there is to learn about one particular type of document or clause and all of the law underlying it. Each participant is also asked to assemble resources that can be used by other firm members via the intranet. Partners participate as project coaches, providing both research and drafting guidance. With the program’s primary goal being lawyer development, this program also introduces junior lawyers to the firm’s knowledge management resources.

HARGARTEN: I agree we need to start early, but I caution against frontloading too much in the early years. Sometimes a disconnect forms between the training opportunities offered and the actual opportunities available to use that training. For this reason, we have begun stretching formal training opportunities so that they coincide with the best time for that training to be meaningful and usable.

STACEY: We offer associates a certain number of billable-equivalent hours per year to observe and shadow more-experienced lawyers at depositions, client meetings, hearings and other important activities. We believe the best way to truly learn and master a skill is to do it. Observing successful lawyers engaging in actual client activities also provides a great learning experience.

Future Leaders Need Early Opportunities

MACKAY: A previous Roundtable, published in the October issue of Law Practice, focused on building new leadership. How do you identify, develop and retain the future leaders in your firm?

STACEY: We place people in leadership opportunities early in their careers. Doing so allows them to develop as leaders and helps to identify and retain good associates by giving them a voice in the firm. It’s difficult and arguably impossible to train someone to lead, but putting people in a position where they can use their abilities gives them a chance to learn and grow as leaders.

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FRAMEWORK.”—Lisa Keyes 52 April 2004 Law Practice

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WHITTINGHAM: Through a variety of committees, we endeavor to get individuals involved to give them leadership experience. The true leaders will surface. I also think that mentoring can play a key role in cultivating strong leadership skills.

HARGARTEN: ***Firms tend to confuse administration and leadership. Some people are very good administrators but lack the vision necessary to become good leaders. Law firms need to separate these two qualities.*** They need to identify visionaries and provide them with leadership opportunities.

KEYES: Give people the opportunity to begin showing their vision and their leadership skills early. This allows them to gain the skills necessary to develop into effective leaders later.

It’s a Continuing—and Essential—Process

MACKAY: What final thoughts would you like to share on our topic?

WHITTINGHAM: Never lose sight of the importance of strategy. Communicate the firm’s strategic vision and promote two-way communication. Success will only happen if the firm and its lawyers are headed in the same direction.

STACEY: Since a firm’s success depends on the success of its lawyers, career development benefits each individual while also advancing the firm’s business goals. This balance is best achieved through thoughtful planning and preparation.

HARGARTEN: Never before has thriving as an associate in a law firm been more difficult. The economic pressures on both the firm and the associate are tremendous. Associates today understand the need to develop careers in relatively short order. To achieve success, they must develop specialties and become known in those specialties. The role of professional development departments has never been more important.

KEYES: Indeed, professional development is essential for both associates and partners. Partners must continue to develop skills and areas of expertise and continue to evolve as the markets change. I encourage all lawyers to think about it from the time they become associates until the time they become equity partners and beyond.

- Lisa Keyes is a partner and Director of Professional Development at the Atlanta office of King & Spalding, which has 750 lawyers in five offices. Until July 2003 she was a full-time practicing lawyer with a technology transaction practice.
- Caren Ulrich Stacey is Director of Professional Development at Arnold & Porter LLP, which has 700 lawyers in eight offices. She works out of the



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