

Business & Careers

The implications of changing firms, and staying put



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The Headhunter

Let's be honest: it's always a much more interesting story that

makes for livelier conversation at the water cooler to talk about when a partner moves from one firm to another. For many lawyers, this can lead to inevitably asking the questions, "What about me? Am I at the right firm? Should I be thinking about making a move too?"

A good headhunter should take the time to understand both why you might consider a move as well as why it might make sense for you to stay. The two often represent

intertwined issues — so understanding both is the key to making the best choices for your career in the long run. Here are some of the top underappreciated issues when deciding what the right next step could be in your career.

Autonomy

For many, the enjoyment of private practice only truly emerges once the lawyer has joined the partnership, for this is where real autonomy is granted to the individual and their practice. That said, as firms continue to grow and deal with the pressures of a highly competitive marketplace, individual partner autonomy has been eroded at a number of firms. To that end, it is important to understand how important this autonomy is to you and your overall satisfaction in the workplace, and what a change in platform might look like to your overall autonomy.

Take the time to reflect on the accountability measures of the firms you are considering (including your own), and understand whether such measures will work

with your current practice style (or if you are willing to adapt, appreciating what such accountabilities may do to make you a stronger overall lawyer).

Support and resources

Equally important is understanding the resources a firm platform may offer to a partner and their practice. All too often, partners can get caught up in the potential to keep a significantly higher percentage of their billings with a new platform, while failing to appreciate the impact a step down in support resources can have on their ability to maintain their billings. This is perhaps most common with lawyers contemplating starting their own venture, or joining a micro-boutique, especially if they have not previously practiced in a solo or small-firm environment.

It is important here to distinguish between when you are at a firm that is unfairly shifting the support costs on to unsuspecting partners, versus understanding the true cost of resources required to maintain your seven-figure practice.

Costs when changing platforms

With some firms facing increased financial pressures, a number of departing partners I've worked with have been shocked to discover how a firm applies the partnership agreement to their accounts receivables, their capital contribution, and even potentially their draws during the transition period. In some cases, this has resulted in a six-figure swing in anticipated earnings to the departing lawyer, which can cause considerable angst, particularly where it is unanticipated.

Obviously, understanding how the firm has dealt with other departing partners may offer you some additional insight into this matter, but take the time to carefully read over your partnership agreement — you may even want to consider seeking independent legal advice on the subject.

Compensation

While compensation may not be the determining factor in making a move, it remains an omnipresent issue for all partners in assessing their perceived worth at a firm. In evaluating your current platform, understand how the current compensation model assigns value to your contributions to the firm. It is equally important to understand how the subjective elements are weighted at a firm, as this can often be a great source of tension for partners when assessing whether the current formula respects their overall contributions to the firm.

Finally, while it is easy to get frustrated with a poor personal outcome for last year, understand whether a disappointing outcome is part of a larger, ongoing trend — for example, is your firm's profitability continuing to decline, thus impacting your earning potential, or is it simply a case of an off year or possibly a difference of opinion over the more subjective contributions you've made to the firm?

Understanding these nuances and their potential impact on your practice — whether at your current firm or a potentially new one — is critical in assessing whether a move is underpinned by the right reasons.

In the end, the key is to understand the longer-term implications of your current platform to your practice — are the issues you are grappling with part of a short-term challenge you and/or your firm may be facing, or do they represent a trend away from values that properly align with how you see your practice developing?

Warren Smith is managing partner of The Counsel Network. He is also the first Canadian to be elected president of the National Association of Legal Search Consultants (NALSC). Follow him on Twitter @lawheadhunter.

Announcement



Janet E. Minor elected as Treasurer of The Law Society of Upper Canada

Janet E. Minor has been elected to lead The Law Society of Upper Canada as its 65th Treasurer. Treasurer Minor succeeded former Treasurer Thomas G. Conway on June 26, 2014.

Treasurer Minor has worked in public law since 1977. Up until her election, she was general counsel in the Constitutional Law Branch of Ontario's Ministry of the Attorney General. A highly respected advocate, she has appeared before all levels of Court and has argued many significant cases on behalf of the Ontario government. She was first elected as a benchler of the Law Society in 2001 and was re-elected in 2006 and 2011.

She has served on a number of committees, including chair of the Professional Development and Competence Committee and the Equity and Aboriginal Issues Committee, as well as a member of the Access to Justice Committee and the Retention of Women and Challenges Faced by Racialized Licensees working groups.

Most recently, Treasurer Minor played an integral role in the introduction of Pathways, an innovative project undertaken to address the shortage of articling placements, involving significant changes to the experiential training component of the Lawyer Licensing Process.

Treasurer Minor has played an active role in the legal community throughout her career. She is a founding director of the Association of Law Officers of the Crown (ALOC) and past director of The Advocates' Society. She has also served on the boards of the Law Foundation of Ontario and the Ontario Justice Education Network.

The Law Society of Upper Canada is the governing body of 46,000 lawyers and 6,100 paralegals in the Province of Ontario, Canada, and the Treasurer is the head of the Law Society. The Law Society has a duty to protect the public interest, to maintain and advance the cause of justice and the rule of law, to facilitate access to justice for the people of Ontario, and to act in a timely, open and efficient manner.

Announcement

Université d'Ottawa | University of Ottawa

New dean appointed for the Faculty of Law, Civil Law Section

The University of Ottawa is delighted to welcome Professor Céline Lévesque as the new dean of its Faculty of Law, Civil Law Section, effective July 1, 2014.

Ms. Lévesque earned a Licentiate in Civil Law (LLC) from the University of Ottawa and a Bachelor of Common Law (LLB) from Dalhousie University prior to undertaking graduate studies in Europe and the United States. She later worked at the World Bank in Washington, where she developed an interest in international investment law. She pursued this field of research when she became a professor at the University of Ottawa's Faculty of Law in late 1998.

Author of numerous publications on investment law, including articles on NAFTA's Chapter 11 (investment), she has been a guest lecturer in several European and American cities. She was recruited as a Scholar-in-Residence by the Department of Foreign Affairs, Trade and Development as, where she conducted research and shared her expertise from 2008 to 2009.

A full professor, Ms. Lévesque served as Vice-Dean, Academic, of the Civil Law Section from 2003 to 2005 and is a member of the *Barreau du Québec*. Given her international training and experience, she intends to reinforce the global perspective that currently drives several Faculty of Law initiatives.



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