

Business & Careers

Dealing with (too many) departures



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The Headhunter

The new year can be an exciting time for law firms, but also a daunting one: With associate bonuses paid out and partner distributions/allocations set at this time of the year, market mobility is also at its peak. Many firms recognize this as a great opportunity to pursue talent to bolster their ranks, but for others, it can ring the bell signalling the beginning of an exodus of talent.

So what can your firm do if it finds the

departures may be more than the typical turnover issues faced by all firms? Here are a few key steps to consider in tackling this challenging problem, and how to begin a turnaround of your fortunes:

Recognize abnormal attrition

Perhaps the greatest challenge law firms have in addressing higher than normal attrition is recognizing it is happening in the first place. There is always a great temptation by partners to play down departures, believing this happens at every law firm, and their experience is no different. The key here is to recognize that not all departures carry the same impact: Firms should be much more concerned by lawyers joining competitor firms, as opposed to going in-house with a client, relocation, or joining a bou-

tique. Joining a competitor suggests your firm may be a root cause for the departure, which may warrant further internal review.

Similarly, if your firm is consistently losing out on attracting lateral talent, this may suggest a negative market perception of your firm. There is always the temptation to ignore these issues and assume your challenges are market-driven; however, self-aware law firms are constantly monitoring their lateral movement to understand whether the firm may be a contributing (or determining) factor in their current attrition woes.

Understand why

Once you've determined your attrition may be caused by internal factors, the key is to take steps to understand why this may be occurring. One suggestion here is to consider reaching out to lawyers who have since left the firm — not necessarily those who recently left, but those who may have had enough time away from the problems to give you honest feedback. Offer to take a few for lunch, and come to the lunch with no other mandate than to listen. Do not challenge their opinions, rather, listen and see whether certain patterns emerge in the feedback over the lawyers you speak with.

Formulate a plan

Once you've had an opportunity to collect meaningful feedback (both internally and externally), your firm can now take steps toward addressing any issues identified from your outreach efforts. It can be simple things, such as introducing a biannual "town hall" to changing the bonus formula for associates; the key is to find visible changes that address some of the underlying issues quickly. It is important to show decisiveness in implementing change; the more difficult, nuanced elements can be introduced in due course, but that early change victory is critical to starting the turnaround.

Communicate internally

Often, the change required is equally an issue of communication: Many lawyers I have spoken with often do not appreciate some of the issues the firm is facing internally, whether due to growth challenges, brand management, succession issues, or leadership disputes. The key for firms as they work through changes to stabilize the firm platform is to ensure communication of the changes is being made alongside the changes themselves. As a general rule, law firms would be better served erring on the side of overcommunication than undercommunication, despite the temptation to believe the latter is the more efficient and preferred method of operation.

Communicate externally

Similarly, it is equally important to engage the market once changes are being made to address past challenges. Firm alumni events are a great way to communicate these changes to the market, and present an opportunity to bring the past, present, and future of the firm together as well. On the talent front, recruiters can be an effective tool in getting your story out to the market. If the recruiters can be persuaded that meaningful change has occurred, they can quickly disseminate your story, helping to bolster your brand and lateral recruitment efforts in the market.

In the end, the key for your firm is to maintain a level of self-awareness as to the overall health of your firm. Don't immediately assume your attrition issues are solely attributable to market conditions. Take proactive steps to constantly monitor the health of your firm's talent pool — both within the firm, and in the market generally.

Warren Smith is the managing partner of The Counsel Network, Canada's oldest and most respected lawyer recruitment and career consulting firms. He is also the only Canadian elected to the board of directors for the National Association of Legal Search Consultants (NALSC), North America's leading legal recruitment industry association. You can follow him on twitter @lawheadhunter.

ANNOUNCEMENT

GREENSPAN PARTNERS
BARRISTERS

and

Lacy Wilkinson LLP
CRIMINAL DEFENCE | APPEALS

merged their respective practices on
January 7, 2013 to form:

GREENSPAN PARTNERS LLP

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Toronto, Ontario M5C 1G8
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The partners of Lacy Wilkinson LLP: **Michael W. Lacy** and **Joseph S. Wilkinson** join the partners of Greenspan Partners: **Edward L. Greenspan, Q.C.**, **Julianna A. Greenspan**, and **Vanessa Christie**. Lacy Wilkinson LLP's associate, **Bradley Greenshields** and Greenspan Partner's associate, **Sherri Beattie** will both continue to work as associates with the new firm. The new firm will continue to provide quality and professional advocacy at both the trial and appellate level particularly in the area of criminal law.



LEGAL COUNSEL

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The ideal candidate will have **2-4 years of relevant post-call experience** gained in a corporate legal department of an automotive or manufacturing company, or at a reputable law firm with exposure to clients in these sectors. Relevant experience advising companies in the US, Mexico and Europe, as well familiarity with labour/employment, occupational health and safety, leasing and IP law would be an asset, but is not necessary. The ability to effectively manage multiple priorities in a fast-paced environment is a must.

This is an excellent opportunity for a general commercial lawyer with an interest in expanding their skills in an in-house setting. If you have the requisite skill-set and experience, please apply in confidence to Mary Jones, Senior Human Resources Director at mary.jones@abcgrp.com. We would like to thank all applicants, however, only those selected for interviews will be contacted.