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ASSOCIATE TRAINING AND DEVELOPMENT PROGRAMS
ARE CRITICAL TO THE SUCCESS OF ANY LAW FIRM DESIRING
TO BE A **"WORKPLACE OF CHOICE."**

BY JOAN NEWMAN

Law firms are spending more money than ever before on associate training and professional development. In fact, the largest U.S. firms together spend more than \$1 billion a year on training and development programs, and some spend up to 1.5 percent of their annual revenues on associate recruitment and retention. But many firms are still reluctant to invest time and capital on training programs, hoping that learning by osmosis will do the trick for their associates. Why should firms invest so much money and energy on training and development, especially with the high associate attrition rate experienced by many firms? What is the real value in such training programs? This article discusses the value of associate training and professional development and the related challenges that many law firms face.

SHORTCUT

Law firms are focusing more on associate training and professional development to recruit and retain top talent and unite multiple generations of lawyers.

THE GENERATION GAP

Midsize and large law firms often face significant challenges resulting from multiple generations of lawyers working in the same firm. Today's lawyers represent four generations (see sidebar, page 50), and each generation has differing views on career development, motivation, loyalty to the firm, client relations, communication styles, interactions with work peers, and lifestyles. If you ask a traditional or "baby boomer" partner about young associates who work with them, you will most likely hear grumblings about the associates' lack of work ethic and their collective sense of entitlement. From the younger generation's perspective, the older lawyers seem "out of step" with the world, have a "pay your dues" mentality, and a work ethic that compromises relationships with family and friends.

The new generation of lawyers is not motivated by the same rewards that motivated traditional and baby boomer partners. Although these young lawyers take their careers seriously and are willing to work hard, work-life balance is of equal importance to them. They use technology to their advantage, and rather than work late in the office or on weekends as the generations of lawyers preceding them did, they are able to do their work effectively outside of the office. On the other hand, many older lawyers, who are not as comfortable with technology, still think that if you are not in the office, you are not working.

The generational differences not only affect working relationships within the firm, but also just about every aspect of the practice of law, such as relationships with clients and marketing efforts to current and prospective clients. How a law firm addresses these generational differences is critical to its success and the recruitment and retention of associates.

How does a firm create an atmosphere where members of different generations work side by side, learning from and valuing each other's perspectives and differences? The firm must first recognize that these generational differences exist, and then it must educate each generation about the other to help bridge the gap. The firm also must find innovative

ways to address these differences in all facets of firm governance and administration.

The older generation needs to understand that, while they can seem impatient, younger lawyers merely want to participate and contribute immediately. They value independence, relish responsibility, thrive on challenging work projects, seek feedback and immediate rewards, want to be mentored and developed, desire close relationships with their work peers, and like to work in teams. Often, if associates don't get what they want and need, they seek greener pastures.

Firms should offer training and professional development programs that target the unique needs of each new generation of lawyers. For example, because Gen Y lawyers (see sidebar, page 50) value mentoring, a formal mentoring/coaching program should be offered in which the mentor is actively involved in the associate's career development, understands the associate and his or her goals, and provides growth and development coaching. Providing regular and constructive feedback is also necessary because the associates want to know if they are doing well and how they can improve and develop their skills.

Furthermore, partners should be coached on how to provide meaningful and constructive feedback to associates and, on the flip side, associates need to be trained on how to accept such feedback. These kinds of professional development programs are attractive to associates because they demonstrate that the firm is willing to accept differences, address generational issues, and be invested in their professional growth and career – all of which should result in lower associate attrition and promote firm success and stability.

ASSOCIATE RECRUITMENT

Any firm competing for today's top law students strives to be the "workplace of choice." Contemporary law students are looking at more than compensation and benefits, client lists, practice specialties, and years to partnership. They are also looking for meaningful and challenging work

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experiences, exceptional training and professional development opportunities, and work-life balance and retention initiatives. Additionally, women are seeking firms that specifically address the recruitment, retention, and advancement of women and provide business, marketing, and professional development opportunities targeted to them. Law students are also questioning firm management and organizational leadership in evaluating whether a firm's culture supports the aforementioned factors and initiatives. If a law firm is a workplace of choice, associates generally feel appreciated, successful, and part of the firm.

Associate training and development – which includes group training sessions, mentoring, and individual coaching – are key attributes of a “workplace of choice.” Programs should provide training in substantive legal areas and about strategic skills such as time management, accounting, client relations and client development, professional and dining etiquette,

writing, supervising others, stress management, and being an effective team member. A firm should also develop a curriculum of skills, experiences, and technical knowledge expected of associates at certain stages in their careers so that evaluations and training can be coordinated.

ASSOCIATE RETENTION

Associate attrition has always been a concern for law firms, but the level of concern is rising. A survey of associates published in August 2006 in *The American Lawyer* indicated that 55 percent the mid-level associates it surveyed said they didn't expect to be working in a law firm in five years. A 2005 survey by the NALP Foundation revealed an average annual attrition rate of entry-level associates of 19 percent, the highest ever documented, and that 80 percent of associates leave their firms within five years.

The cost of attrition is also extremely high. According to *The American Lawyer*, some firms

Four Generations of Lawyers

Today's law firms must deal with the challenges of uniting lawyers from four distinctly different generations.

TRADITIONAL LAWYERS (BORN 1927-1945)

Over age 60, many traditional lawyers have been with the same firms for their entire careers. Many are detail oriented, not comfortable with technology, and reluctant to change.

BABY BOOMERS (BORN 1946-1964)

Between ages 43 and 61, baby boomers tend to be comfortable with technology and recognize its value. Most are driven, value their careers (almost before family), and can appear to be rigid and out of step with the times.

GEN X LAWYERS (BORN 1965-1980)

Between ages 27 and 42, members of Generation X tend to think about “jobs,” not “careers.” They are typically self-reliant and individualistic, dislike authority and rigid work requirements, and value work/life balance.

GEN Y LAWYERS (BORN 1981-1999)

Age 26 or younger, members of Generation Y embrace diversity. They are sometimes seen as unfocused and perceived as lacking loyalty, initiative, and energy. They may need additional structure at work and coaching on people skills.

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estimate the cost of attrition per associate at between \$200,000 and \$400,000. Further, not only does associate attrition adversely affect associate morale, but mid-level associate departures also leave gaps in the experience level of the law firm associate pool. These gaps cannot be filled by younger associates, and they impact the cost effectiveness of staffing client projects.

Associates cite several reasons for leaving their firms: ineffective mentoring programs, the opaque road to partnership, work-life balance issues, and lack of training and development. The newest generation of lawyers has little institutional loyalty, and those who have the right mix of expertise and credentials will move on to the next job and not look back. Good associate training is one of the leading factors influencing associates to remain with their current law firms.

With the emphasis on billable hours and associates having less contact with more senior lawyers as firms and practice areas grow, the close, constant, and informal mentoring relationships that used to develop between partners and associates in midsize and large law firms are almost nonexistent. Therefore, updated and structured associate training and development programs have been created to fill the gap where the once-successful informal training processes existed.

But, as firms have discovered, associate training and development programs are enormously expensive, so why should a firm invest so much on associates, many of whom will most likely take these newly honed skills elsewhere, and most likely to a competitor? The answer is simple: if the firm doesn't provide these programs, the best associates will definitely leave. The firm can't afford not to offer such training programs because the cost of attrition is far greater than the cost of training and development.

EVALUATIONS AND TRAINING

Most if not all law firms have associate evaluation processes that solicit input from partners and share those evaluations with the associates. These processes range from informal to very formal systems that evaluate the associate's substantive and non-legal skills, contributions to the firm and community, and the prospects for making partner.

Whatever the evaluation process looks like, it does little good to convey to an associate his or her lack of certain skills or the need to improve others without discussing strategies to address the identified weaknesses.

Associates often report that their performance evaluations are not substantive or detailed enough, and if they are, the firm offers no support or training to address the skills that need improvement. This disconnect between the associate evaluation process and the firm's training and development programs works against the associate and the firm.

Associate training, in part, needs to be individualistic and targeted to the associate's unique needs so that the timing of the training to develop certain skills is closely aligned with the evaluation process for the same skills. When the evaluation process and training are more closely aligned, the associate will feel more confident and more motivated to continue to learn. Aligning evaluations and training is critical because it results in greater associate satisfaction, lower attrition, greater client satisfaction, and less risk of malpractice.

SUMMER ASSOCIATE PROGRAMS

Summer programs have long been the primary source of a firm's recruitment for full-time associates. Because firms are beginning to recognize that traditional summer programs are not as attractive or relevant to the newest generation of lawyers as they were to their

predecessors, they need to rethink and restructure their summer programs to meet the changing times.

For Gen Y professionals, a meaningful summer program emphasizes the development of relationships, individualized training, and timely and meaningful feedback. Summer programs should provide opportunities that foster the establishment and development of relationships, not only with their fellow summer associates but across generational lines, with partners and associates. These opportunities can involve small social gatherings (such as departmental social functions or a small dinner at a partner's home), working in teams on projects, and being mentored by a partner or senior associate. The professional relationships and bonds that develop between summer associates and firm attorneys are often determining factors when associates select law firms where they want to work full time.

The new generation of lawyers is accustomed to learning in small groups, and summer programs are expected to provide training and development opportunities targeted to their particular interests and goals. The program should enable summer

associates to choose assignments based on their interests and provide opportunities to shadow attorneys on projects of interest to them. So, rather than offering a summer program that has historically worked, today's law firms need to think "outside the box" to attract top candidates.

Ultimately, the aforementioned issues are only a few of the complex challenges facing today's law firms. Associate training and development should be considered integral to any firm's long-term success. ✱

about the author

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LEARNMORE

ALA Resources

These titles are available through the ALA Bookstore, www.alanet.org/bookstore.

- *Finding and Keeping Great Employees*, by Jim Harris and Joan Brannick
- *A Business Skills Curriculum for Law Firm Associates*, by Stephen Chitwood, Anita Gottlieb, and Evelyn Gaye Mara
- *Chapter Cooperative Associate Training Program*, created by the Puget Sound Chapter of ALA

The following are accessible via ALA's Legal Management Resource Center, <http://thesource.alanet.org>.

- "Avoiding a Terrible Cost: What Partners Can Learn From Associates About Retaining Top Quality Associates" – Type keywords "**recruiting associates**" in the search engine
- "Training & Developing New Lawyers" – Type keywords "**developing associates**" in the search engine
- "The Effective Associate Training Program: Improving Firm Performance, Profitability and Prospective Partners" – Type keywords "**developing associates**" in the search engine

The following articles are available in the *ALA Management Encyclopedia (ALAME)* www.alanet.org/alame:

- "Associate Bonus Programs: A Component of Successful Recruitment and Retention"
- "The Importance of Recruitment and Retention for Associates and Staff"

The following articles are available in the Publications section of ALA's Web site at www.alanet.org/publications/pubindex.html:

- "Got Talent?" by Charles A. Volkert, October/November 2006 issue of *Legal Management* – www.alanet.org/publications/issue/octnov06/Volkert.pdf

On the Web

- *The National Law Journal*, "Training Becomes a Recruiting Lure" – www.lw.com/resource/publications/_pdf/pub1550_1.pdf
- *lawjobs.com*, "Midsize Law Firms Shift Recruiting Strategies" – www.law.com/jsp/law/careercenter/lawArticleCareerCenter.jsp?id=1171533773416