Here's How To Make Partner !

By Steven A. Meyerowitz

Imagine this.

Imagine being thrust into a totally new environment. All the people there are older than you. They all seem to know what they are doing. On the other hand, you have no idea what is expected of you. You rely on their guidance and their decisions and hope that your needs will be met. You seek to win their approval.

To me, that describes life from the point of view of my son Glen Andrew Meyerowitz when he was born earlier this year on Jan. 4.

But it also seems to describe how a large number of young lawyers feel when they join law firms. Many young lawyers do speak a great deal with partners about cases and legal issues. But often they receive little practical information from partners, especially when it comes to the big issue of how they can become partners themselves.

That is beginning to change, and for good reason – it is in a firm's best interests for its young lawyers to know what is required of them. It also is in the best interests of the associates.

By telling associates the criteria by which they will be judged, the associates will be able to determine if they fall short in any areas. Associates may be able to change some things, such as their dress and personality, but only if they know that there is a problem. In the view of Washington, D.C., law-firm consultant Susan Saltonstall, imparting this important information "gives associates the fullest opportunity to be the best lawyers they can be." That redounds, of course, to the benefit of their employers.

By leading to happier and more successful associates, it also may help to decrease associate turnover. Law firms will benefit as a result by avoiding the costs relating to hiring replacements.

In the "old days," according to Robert W. Denney, the president of the Wayne-based consulting firm of Robert Denney Associates Inc., associates were "knighted as partners and had to develop the other skills required of partners overnight." By explaining in advance and over time what it is that law firms demand of their partners, new partners will have an advantage that older partners did not have and they should be better able to meet their new obligations.

Indeed, letting associates know what it is that goes into the partnership decision is important now because it is often what associates want. In Denney's view, associates are beginning to recognize that firms that have not explained this in detail are often firms that "have no direction, thought, or long-term policies."

Defining The Standards

Of course, just what it is that law firms consider necessary for associates to become partners is different for different firms. Each firm must have a clear idea of the number of partners it wants, the kinds of partners it wants (equity or non-equity), and the particular areas in which it wants the partners to practice. Deborah J. Addis, a vice president with Massachusetts-based Addis & Reed Consulting Inc., says firms should "plan and project several years down the road." They should tell their associates their goals, making sure, though, "not to give away any strategic secrets." In fact, a firm may want to consider having a written statement that explains what it is looking for. Having a statement, and knowing what the firm's needs are, may be more than half the battle. Ms. Saltonstall believes that often the lack of communication between partners and associates is because the partners "don't know what they expect."

Certainly there are a number of subjective factors and financial factors that go into the partnership decision and that may not be easily quantified. A portion of it is chemistry. And a firm may decide after eight years that it has no need for another partner who concentrates on general commercial litigation matters.

Nonetheless, explaining in writing what a firm looks for in its associates and seeks of its new partners helps focus the firm and make the associates aware of what is needed.

This is particularly important today.

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Steven A. Meyerowitz, a freelance writer and lawyer, is a regular contributor to The Pennsylvania Lawyer. *This is one in a series of articles on the business aspects of law scheduled to appear this year.*

about the biography of a man named Von Steuben, who resided in Lancaster County and developed Steubenware. He became wealthy and at his death he left real estate in some manner to some organization and required as an annual rent the delivery of one red rose per year.

His biography was published under the name the *Life of Otto(?) Von Steuben*. The book sold sporadically. Sometime later, someone suggested that the book be retitled and, without change of content, it was reissued as *One Red Rose Forever*. Sales immediately picked up.

I have always kept this story in mind when selecting titles. Packaging does make a difference as evidenced by the reaction I have received to "The Electronic Bedsheet." Because I cannot reveal editorial secrets, I cannot yet respond to your hypotheses as to the reasons for the appearance of this "previously unknown area of computer technology."

With respect to the pseudonym "Terry L. Light," I would like to be able to say that we were testing whether anyone was paying attention. In truth, it appears that neither I nor the proofreader was paying attention as the middle initial error was unintentional.

As chairman of the PBA's Statewide Computerization Committee, I look forward to meeting you in person, hopefully at a time when the weather requires neither flannel bedsheets or spreadsheets.

Terry W. Light
Lewisburg

Interpretation wrong

The Fiduciary Services for the Aged and Infirm Committee of the Real Estate and Probate and Trust Law Section is deeply concerned about the Right-to-Die Issue. I read with great interest the article by Alan Meisel ["The Right to Die - Exploring the Cruzan Decision"] that appeared in the December 1990 issue of *The Pennsylvania Lawyer*.

Immediately following the Meisel article was a short news article headed "Right-To-Die Bill Considered in Pennsylvania" (pages 24, 25). The article was inaccurate on one major point. Paragraph five of the article stated that although Senate Bill 646 gave the treating physician the authority to determine the patient's incompetency, "a second opinion must be given before the patient's wishes are carried out." This is a misreading of Section 8 of the Bill. This section requires a second opinion on the patient's terminal condition or state of permanent unconsciousness, but it does not require a second opinion on the patient's incompetency.

Senate Bill 646 as amended by the House did not pass. It will probably be reintroduced when the General Assembly reconvenes. Those who believe a second opinion on the patient's incompetency is necessary should make their views known to their Legislators.

Edward P. Carey, Chairman
Fiduciary Services for the Aged
and Infirm Committee

No more, please

In response to Mr. Finio's letter justly criticizing "Chip" Rubendall's narrow-mind *please, please, please, please do not publish any more comments by him or about him* or anyone who sounds/writes/thinks like him.

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William H. Everett
Bethlehem ❑

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Make Partner (Continued from Page 6)

Traditional forms of partner compensation are being challenged, long-held views on law-firm management are changing, and demands are increasing on associates.

Performing quality legal work and keeping up one's professional skills are no longer enough for associates to rely on. Associates who want to become partners "must develop skills at client relationships; they must learn to solve problems and keep clients delighted," Denney says

More and more often, he adds, they must also evidence "business development and marketing skills." Where this is the case, they should be told that they will be judged on their potential to generate new business and their ability to obtain new business from existing clients. Of course, if a firm wants to encourage lawyers to market, it may decide to allow time spent on marketing, firm management and recruiting to be counted towards the objective criteria of billable hours and it should inform its associates of that decision, too.

Associates also should be told if they will be judged on how they manage their clients' matters and the junior associates and paralegals with whom they work. A firm that wants its associates to develop these management skills ought to make it clear that they are important in partners because partners must help run the firm and the firm's practice.

Because the requirements for an associate to become a partner today are no longer merely related to the associate's legal skills, and because young lawyers learn few, if any, of these other abilities in school, the firm must also make clear how it intends for the associates to meet these goals. In Denney's words, a firm must explain "how it will provide training and opportunities to these associates to develop these skills."

Continuing Evaluations

Young lawyers have different stages of their careers. In the first few years, they focus on developing their legal skills. Later, they may hone their legal skills to become more indispensable to their law firms, and they learn to take charge of client matters. Still later, they may actually be able to bring in new business.

As a consequence, associates at different stages of their careers should be evaluated differently and told of the different obligations the firm insists that they shoulder, Saltonstall believes. Revamping associates' evaluation forms to include the criteria on which they will be judged on an ongoing basis and for partnership is one good way to inform associates of the firm's expectations.

The Vote

Now, in Denney's experience, associates rarely go home one night and receive a surprise late evening phone call asking them to join the partnership. However, the "reverse still happens in many cases," Denney says. Associates still receive phone calls letting them know that they are not being invited to join the firm. When they ask why, they are given the reasons and then often ask why they were not informed years ago. Continuing and effective evaluations can avoid that problem.

* * *

Setting up a structured, formal road map for associates to follow takes a great deal of the guesswork out of the partnership track for young lawyers. It allows them to focus their energies. And the vision necessary for a law firm to create the guide also promises benefits to the firm itself – both in the short term, with better, more capable associates, and in the long term, with better, more capable partners. ❑

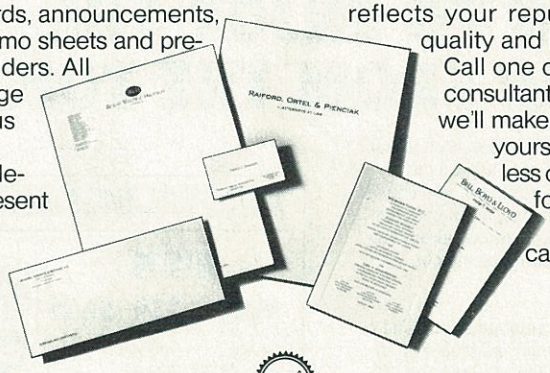
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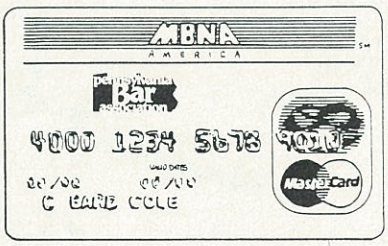
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THE TIMES *(Continued from Page 9)*

proximately 80 firms nationwide have begun to participate financially and managerially in ancillary businesses providing services ranging from investment advice, international trade consulting, environmental consulting, lobbying and trust management. Other law firms have hired non-lawyers (e.g., accountants, labor relations experts) to provide services for the firms' clients, and at least one firm has admitted its administrator to partnership.The case for allowing lawyers to participate in ancillary business activities is a very simple one: It is good for law firms and, most important, good for clients. In almost every case of which we are aware, the decision to associate with non-lawyers has grown out of regular and continued contact with non-lawyer professionals in the course of representing existing law firm clients.

For example, our firm concentrates exclusively in the practice of environmental law. In virtually every matter, our client asks us to recommend and then retain environmental consulting firms to work with us. There is no doubt this provides the clients with the benefits of varied perspectives and expertise in resolving their problems.

However, without a formal association with the non-lawyer professions, lawyers are unable to control the quality, timing, delivery and/or cost of these ancillary services, and the client suffers. The solution to this dilemma is clear; a formal relationship between law firms and the non-lawyer professionals allows the client to benefit from the integrated approach for solving complex problems with more *flexibility* and greater *professional competence* for *less money*. More specifically, as problem-solving has become more difficult, the ability to formally associate with non-legal professionals will necessarily offer a different and often better approach to resolving these complex problems. In addition, direct participation by lawyers in ancillary businesses is cost-effective because it provides efficiency and the proper distribution of this multi-disciplinary work. In short, those who claim that a law firm's association with non-lawyers is unprofessional ignore the central reality that the quest for excellence in serving clients is an important part of professionalism.