

CAREER DEVELOPMENT

Making Partner: Predictors of an Associate's Suitability

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In early December over four thousand new California attorneys were sworn in.

Many of them are seeking suitable positions in law firms. All year long the elaborate courtship of new lawyers and suitable law firms goes on, but at no time is it more intense than in winter.

Unfortunately, the process that transforms the recruit into an associate and ultimately into a partner is an ill-defined phenomena.

Further, there is a perceptual mismatch which prevails between recruit and law firm. Law firms recruit associates, but recruits select (to the extent possible in this buyer's market) future law partners.

What is needed is to bring the expectations of the employer and employee closer together. Recruits ask their interviewers what the criteria for partnership are. The more arcane firms are taken aback by the affrontery of the question. The farsighted firms respond with a predictable list: a lot of billable hours and getting along with clients.

The truth, I think, is more complex than this. If firms considered the determinants that go into creating new partners, a rather long list would emerge similar to the one below. It is useful to review these items here as predictors to partnership.

As new associates embark on the business of learning to lawyer, deal with clients, and "find the courthouse," becoming a good associate or technician begins to loom larger than becoming a partner. Likewise, the law firm, deep into its principal occupation of serving clients, may look up no oftener than once or twice a year to consider the progress of its associates toward partnership.

In these current difficult economic times for law firms, it is increasingly true that associates change jobs more readily and that firms have slowed the rate of admitting new partners in favor of permanent associates and non-equity partners.

These trends do not, however, alter intentions on either side: law firms need good partners and new lawyers who approach law firms for employment do so for the purpose of becoming partners.

Due to the greater selectivity, there is an increased need to clarify the predictors of suitability for partnership.

The list below necessarily generalizes the situation of each law firm. The items (unranked) are broken down into the categories of personal qualities, financial considerations, professional consideration, and legal ability.

Personal Qualities

- Visibility in local industry, civic or com-

munity affairs.

- Satisfied firm clients and a personal "client following."

- Perceived as trustworthy and loyal.
- Lifestyle and politics which do not adversely affect the firm.

- Ability to verbalize competence; to win clients.

- Perceived as a friend by partners; someone they enjoy spending time with.

- Having the managerial and entrepreneurial qualities of a business person.

- Free of personal problems such as going through a divorce, alcohol or drug abuse.

- Participatory; showing initiative and receptivity.

Financial Considerations

- Partners sometimes are made when the loss of the associate would result in the loss of some clients.

- Ability to contribute capital to the firm; a desire to commit to the firm's future.

- Annual individual billings similar to those of the productive partners.

- Managing others to produce fees from clients.

- Achieving appropriate expansion of services to existing clients.

Professional Considerations

- Ability to work unsupervised in the minds of the partners, i.e., confidence.

- Minimum five-to-seven years as an attorney.

- Quality work product as verified by partners, clients, judges and outside attorneys.

- Demonstrated competence through published articles, speeches, advanced education, teaching and/or certification if applicable.

- Sustained level of performance, e.g., number of hours worked; number of clients developed.

- Committed to the practice of law as a career.

Legal ability

- Quality of draftsmanship, research/analysis, documentating a position.

- Persuasiveness; ability to present an argument.

- Shrewdness.

- Thoroughness of approach.

- Organization; time management.

- Soundness of strategy, advice, conclusions.

- Ability to identify, analyze and solve legal problems.

- Deriving creative solutions.

While this list may not be comprehensive (and the author invites your comments) it is certainly a beginning to bringing the expectations of associates and law firms closer together.