

Published in **Legal Times**, October 19, 1998.

CULTURE CLASH--A PROBLEM OF TITANIC PROPORTIONS

by Susan G. Manch

Iceberg! Dead ahead!! Sometimes I feel like the lone lookout on the deck of a ship about to bury its bow in the heart of a giant iceberg. Many law firms are set on a heading for a titanic culture clash, but only a few have adjusted course to avoid disaster. The `ship' in this instance, is the unique culture of a law firm, while the `iceberg' represents the threat to that culture posed by the relatively recent trends of firm mergers and high levels of lateral hiring. While the numbers on firm mergers are not as clearly defined, in the five-year period from 1992 to 1997, lateral hiring among Washington, D.C.'s thirteen largest firms increased by almost 42%. The seventeen largest New York firms experienced a whopping 205% increase during that same period. In contrast, these numbers represent more than double the percentage increase these same firms experienced in entry-level hiring.

Imagine the implications of a firm trying to absorb this huge influx of people without being overtaken by it. Imagine the challenge of trying to maintain the unique characteristics that represent the firm's culture. Partners and associates alike have told me that they sometimes feel like strangers in their own firms. Most large and growing firms in this country are experiencing culture clash. The heart of the issue is the way in which firms bring laterals on board, and the process by which they are (*or are not*) integrated into the firm.

Ships Passing in the Night

"We've got more work than we can handle," say firm managing partners. Firms are scrambling to find enough bodies to do all the work that is coming in--an enviable position in which to be, without question. But in the rush to address the dearth of mid-level associates, record numbers of attorneys are being hired laterally from other law firms. Often the primary selection criteria applied to these candidates is their ability to "*hit the ground running and work independently.*"

Unfortunately, that is often exactly what they do. The lateral and the firm culture are like `ships passing in the night'--they never actually connect in any real way. The lateral comes into the firm and immediately begins taking on assignments without having any organized orientation. As a result, he or she never really has the opportunity to learn about or understand the culture of the firm. Before you know it, this attorney will be interviewing candidates or serving on policy-making committees without having ever internalized the true culture of the firm.

This is how a firm begins to lose its individual and unique culture. The firm's culture, if it still has one, becomes a crazy quilt of other firms' cultures, brought into the firm by the laterals hired. Is this a bad thing? Only if you believe that your firm's culture is worth preserving, and that it adds value to the experience of those who work in the firm.

All Lifeboats and No Ship

Years ago, when practice group management was first taking hold on the law firm scene, the greatest fear was that this sort of compartmentalization might cause these groups to become detached from other groups and from the overall firm culture. In reality, however, well-managed practice groups actually enabled the culture of many firms to flourish through the promotion of strong cross-selling efforts, and the formation of multi-disciplinary teams.

The greater threat now appears to come from the high percentage of laterals without a sense of the firm culture, or even more so, from lateral practice groups brought on to expand firm capabilities in a new specialty. I picture many lifeboats heading in all different directions, with no mother ship to provide a common identity. These groups become more like franchisees than subgroups of a greater entity with shared values, customs, and goals.

Red Sky at Morning, Sailor Take Warning

Forgive me for saying so, but I believe that tough times may be right around the corner again. The economy faces stormy seas ahead, and I am already sensing a subtle shift in the recruiting market. For the first time in many months, I am seeing empty office space in firms. I am hearing hiring partners say that they decided not to hire all those mid-levels they advertised for, after all. I am getting calls from firms who need outplacement counseling services for attorneys who were hired at the height of the frenzy to bring in warm bodies, but who ultimately proved to be a poor match for the firm.

The firms that best survived the last downturn in the market were those who had a strong sense of who they were. They were more than a collection of lawyers with various legal specialties. They had a culture that tied them together as individuals with a shared purpose. They were able to keep their best attorneys (and most likely their best clients) because the lawyers felt a connection to the firm and a desire to contribute to its survival. These firms were able to muster "team spirit" to accomplish what had to be done in order for the firm to ride out the tough times. Attorneys who lived through this time tell me that the culture of their firms was the one thing they could count on, the one certain thing in uncertain times.

It would seem to make sense that even in the best of times, it pays to 1) develop a common sense of identity among the members of an organization, 2) determine shared goals and priorities, and 3) find a means to express the unique characteristics that differentiate practicing in *your* firm from practicing in *any* firm.

S.O.S. for Drowning Firm Cultures

Proactive planning to preserve and protect a firm's culture may provide the additional ballast needed to steady the `ship' in rough seas. Think about employing these means of saving and promoting a strong sense of culture in your firm:

- Conduct a firm survey or facilitate focus group discussions among firm attorneys to determine the most valued characteristics of your firm's culture. What do attorneys who have been with the firm for years value most about the environment and atmosphere? What were the key factors that influenced new attorneys to choose your firm from among other similar firms? Answers to questions such as these may help you get to the heart of what your unique culture is, or perhaps

once was, and still could be.

- Develop and implement a lateral mentoring program in which laterals are treated in much the same way as Summer Associates or other entry-level hires. Assign a partner or senior associate to each lateral, even if the lateral is a partner. The mentor should serve as the conduit through which the nuances of the firm's culture is communicated to each lateral.
- Make sure that laterals receive an orientation program of the same quality as that which is provided for new associates hired directly out of law school. Expand what may be a once-yearly orientation program to adapt to lateral hiring patterns, possibly creating a quarterly program that ensures that a lateral will not have to wait a year to hear the basics about the firm.
- Provide opportunities for social interaction among laterals and other attorneys at their level in the firm. It is difficult for mid-level and senior laterals to get to know associates at their level in other practice areas. Plan regular "class" lunches or other firm-wide associate activities that will allow for informal interaction among "home-grown" associates and laterals.
- Be certain to ask laterals to serve on your Associate's Committee or other committee charged with attorney management policy concerns. In this role, they can offer insight on lateral needs as attorney management policy is developed and carried out.
- Encourage discussions among lateral hires that focus on their concerns regarding integration into your firm. Ask for their assistance in developing strategies to create a seamless orientation process.

Finally, and perhaps most importantly, take a hard look at your culture and make sure it is worth saving. You may find that the influx of laterals over the past several years has changed the firm culture for the better, and that firm members need to become aware of the "new" firm culture that has evolved. *Bon Voyage!*

Susan G. Manch is a Principal with the legal management consulting firm of Shannon & Manch in Washington, D.C. Her firm specializes in assisting law firms with the full range of attorney personnel management issues.