

THE HUMAN SIDE OF LAW
Managing The Unmanageable
By

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In the increasingly competitive world confronting lawyers today, the personnel of a law firm or law department can make or break it. However, oddly enough, lawyers have not paid too much heed to internal dynamics, tending to focus more strongly on their individual private work, on their external professional allegiances, and above all, on their clients.

In contrast to the largely independent and decentralized lawyer stream, the parallel track of support staff within law firms and departments has operated on the more traditional, centralized model. This support organization, consisting of secretaries, clerks, para-legals, financial, marketing and technology staff, is run generally on the basis of human resources planning and principles, namely, systems in place governing all elements that affect employees. Some of these are-

1. **People-flow**, namely, entry, development, and exit through the organization. The areas covered here include recruitment, selection, assignment, promotion, career-development, and training.
2. **Compensation**, monetary and non-monetary,
3. **Decision-making** participation, and
4. **Work**, which involves job structuring, performance evaluation, coaching, discipline, reporting relationships, and work conditions.

As long as the economic environment is a stable one, where law firm/department lawyers service long-standing clients in traditional practice modes, and where the apprenticeship system takes care of the lawyer recruitment and development tasks of the organization, then lawyers can continue to operate relatively independently from internal managers and even from one another. However, the economy has undergone tremendous transformation over the years, with many trusted company clients of law firms and departments being down-sized (right-sized) or eliminated. The traditional client bases are eroding, and radically new clients are presenting themselves, who are lean, mean and very bottom-line oriented. New firms and companies are entering the fray, with the advantages of reduced overhead, technological sophistication, and the flexibility and hunger to mount a strong offensive against the larger, more established entities. As the competitive war for demanding clients rages on, new skills rise to the fore, such as client (internal or external) development and business savvy. A new generation of lawyers is emerging, with work values diverging from those of the current managers. In addition, it is predicted that future lawyer-employment trends will yield an excess of demand over supply.

All these environmental factors are impacting significantly on the practitioners of law. Lawyers in organizations must pull together as never before to develop strategies of effectively competing not only for clients but also for lawyers (believe it or not!). So the thorny people issue of how to attract, retain, develop, motivate, and part ways with lawyers will become increasingly tied in to the success of the law firm or department.

For the lawyers, who are traditionally more comfortable dealing with external-client concerns rather than their own, the task of developing and applying consistent human resource policies covering broad areas of conduct, previously unstructured, is a daunting one. Some firms and departments, often the larger ones, are taking action. Others continue to assert the irrelevance of human resource management for lawyers – at their peril. Though they may recruit few or no lawyers, many of them need to address the crucial issues of existing-lawyer retention, career development, exit, incentives (pay and non-pay), and succession planning.

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