



THE NEW ELLIS GROUP

Monday Monday

Connecting the Dots with Karen Kaplowitz



*Helping you create and reinforce the habits of successful career building,
gleaned from my work as a business development strategist, trainer and coach*

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Who Is Accountable for Failed Laterals? Most firms give laterals two years to meet expectations. If they don't, firms tell them to leave. Laterals who fail are in a crisis. They are forced to disrupt their clients again, with the risk that the clients will take their work elsewhere. They have to explain to clients and prospective employers what went wrong. But the firm has also suffered a loss. If there was a recruiting fee, the firm is out of pocket since few recruiting fee contracts have clawbacks after two years. The firm has also supported the lateral through the transition during which the firm may not have broken even. If there is one common theme in failed lateral moves, it is the wide gap between promises made during the recruiting process and the reality after the move. Among the most common gaps:

- The firm says it will introduce the lateral to firm clients. Specific partners in recruiting interviews are enthusiastic about making introductions to their clients but when the laterals arrive, they are not introduced. The clients who were discussed during recruiting may not even be memorialized in a business plan or shared by the recruiting staff with the marketing staff. Rarely are the partners who made promises held accountable if they don't follow through.
- Firm leadership says they expect there will be a transition period for the lateral to move clients, open matters and for laterals and firm lawyers to get to know each other. The projections for the lateral's billable hours ramp up during the transition period. But if the firm does not integrate the lateral by assigning the lateral to matters for firm clients, the lateral is in a silo with old clients, not integrating with firm lawyers or clients. And if the old clients' expected work does not materialize, lack of integration may be fatal.
- The firm says that the lateral will have the support of various people such as their practice group leader and a local partner if the practice group leader is distant. Like most mentoring programs with assigned mentors, these mentoring relationships often do not materialize. Many laterals report that they feel isolated and encounter resistance and resentment when they try to execute on the promises that were made.

Perhaps the biggest problem is that many laterals have no one to call if the promises that were made to them are not being kept. No one in authority, like the managing partner or practice group leader, has said to the lateral "if we don't do the things we have promised you, call me and I will make it right." Having someone with authority who is accountable for the firm's executing on its promises to laterals would go a long way to eliminating the revolving door that burdens law firms and laterals alike.

Example: The head of recruiting instituted a practice of debriefing both lateral candidates and firm lawyers after each recruiting interview to memorialize the specific client opportunities that were discussed. At the end of the recruiting process, the firm then had a list of the specific clients to whom the lateral had offered to introduce other firm lawyers and vice versa. Those were included in a written business plan with other commitments by the firm and the lateral. The firm's offer also included a provision that the lateral's progress and the firm's commitments would be reviewed quarterly. And the practice group leader who extended the offer to the lateral provided his cell phone to the lateral with an invitation to reach out if the lateral did not experience the cooperation promised.

Has your firm established a process to record expectations and promises made during the recruiting process? If not, should you? If you have been disappointed by some very promising laterals, are you as a firm leader willing to be personally accountable to laterals and the firm alike when the firm's promises to the laterals are not executed?