



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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How Would Your Clients Rate Your Firm's Policies on Lateral Moves? Kirkland & Ellis made news this month when the firm doubled the notice period for equity partners who leave the firm from 60 to 120 days. The ostensible purpose of additional notice is to discourage partners from leaving by making it easier for Kirkland to compete to keep clients and harder for laterals to make a swift get away. The change of policy appears to be designed to protect Kirkland against defections like the recent London group which joined Sidley.

The legal media queried whether Kirkland's policy change would be adopted widely by other firms. Before firms embrace the Kirkland model of "protectionism", firms may want to look at how their clients will rate them for protecting the clients' interests in connection with lateral moves. How would your firm fare if you gave clients the opportunity to evaluate the firm on the following scorecard?

Points	CLIENT SCORECARD ON FIRM'S LATERAL POLICIES
- 1	When lawyers give notice they will leave, the firm removes them from matters the firm hopes to keep.
-1	When lawyers depart, the firm discourages clients from continuing to use them.
+1	When the firm substitutes new lawyers for lawyers who leave, the firm does not charge for bringing the new lawyers up to speed.
+1	When key lawyers on matters leave, the firm encourages collaboration between the two firms to make the transition as smooth as possible.
+1	When lawyers leave and continue to work on matters, the firm has a system in place to coordinate fees and costs between the two firms to insure clients are not hurt by the change.
+5	The firm handles the impact of all lateral moves in a manner which puts the clients' interests first.
	TOTAL POINTS

It is hard to believe that clients will tolerate law firms which appear to put their self-interest ahead of their clients' interests when lawyers change firms, especially given the frequency with which lawyers move around. Would you in fact feel safe offering your clients this type of scorecard? Do you think that their answers would match your expectations of how they perceive your firm's commitment to protecting their interests? If you believe that your clients might rate your firm's policies of dealing with departing lawyers as contrary to the clients' interests, does that put your firm at risk of losing clients? What do you have to do to insure that your clients view your policies with respect to laterals as client-friendly?