



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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Call It Client Retention Not Succession Planning

Succession planning causes conflicts, resistance, and disruption in many firms. Firms lose a lot of good people. Senior partners leave when they are unwilling to cede control of clients to more junior partners. Junior partners chafe at being held back from the compensation, power and status that comes with client leadership. The conflicts tend to be intergenerational and age-related. The most common situations arise from retirements, disability, death and the pressure to make room for the next generation. See discussion [here](#). To avoid these conflicts, you might consider reframing the discussion from your clients' perspective. Consider these questions:

- How many clients already require the firm to address the possibility that their lead lawyers may become unavailable?
- Do you use the fact that you have a deep bench of talent as a competitive advantage in your marketing efforts?
- Does the firm ask every lawyer leading a client engagement to identify who would handle the matter if they were in an accident or otherwise not available?
- Are succession staffing issues addressed in the forms used for opening new matters?
- Do annual self-evaluation forms ask partners to identify their staffing plans for significant matters in the event they or other lead lawyers cannot handle those matters?
- Does the firm reward partners who are good managers and address back up staffing issues?

To avoid intergenerational conflict over succession planning, it is helpful for the issues to be viewed from a client-centric standpoint. The firm's message to its lawyers can be a simple one: if you care about your clients and you are handling critical matters for them, you should also care about what happens to them if something happens to you.

Example: The firm was on a major client's preferred counsel list for many years when it was invited to respond to an RFP for a "bet-the-company" case. The firm invested a lot of effort in its response, including many examples of great results in similar situations. The firm assumed that it was in a strong position especially because the lead partner, a very successful trial lawyer, was well known to the client. The firm was not surprised when it was one of two finalists invited to meet with the client's general counsel and senior management, including several directors who were on a special board litigation committee. The general counsel asked very pointed questions about the firm's capacity to take on the matter and specifically asked the lead partner to commit that she would personally handle key elements of the case, including depositions of senior executives and the trial. The lead partner assured the client that the case would be her highest priority, but she emphasized that the client did not have to rely on just her. She introduced several other partners on the team who could handle the most sensitive and important aspects of the case. She described their detailed plan to staff the case so that if any important member of the team was hit by a bus, the client would be well-protected. She drove home the winning run when she asked the general counsel, "Did my competitor introduce you to his lieutenants and share with you their back up planning?"

Can you do a better job of protecting your clients and avoiding conflict over succession planning by instituting firm policies that put your clients' interests first in the inevitable situations when key lawyers may become unavailable?