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PREPARING YOUR FIRM'S FUTURE LEADERS FOR SUCCESS

John Remsen, Jr. President TheRemsenGroup

June 20, 2015 New Orleans, Louisiana

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BIOGRAPHICAL PROFILE John Remsen, Jr., President

John Remsen, Jr. is widely recognized as one of the country's leading authorities on law firm leadership, management, marketing and business development. After serving as in-house marketing director at two major law firms, John formed TheRemsenGroup, a consulting firm that works exclusively with law firms to help them develop and implement long-term strategic objectives to improve cohesiveness, performance and profitability. Since 1997, he has worked with over 300 law firms and thousands of lawyers. Most of his clients are mid-size commercial law firms, ranging in size from 15 to 200 lawyers.

John is a frequent speaker and author on law firm leadership and marketing topics. He has spoken at national and regional conferences of the Legal Marketing Association, the Association of Legal Administrators, American Bar Association and numerous state and local bar associations. His articles have appeared in such well-respected publications as *ABA Journal, Asian Lawyer, Florida Bar News, For the Defense, Law Practice Management, Law Practice Today, Lawyers Weekly, Legal Management, Marketing for Lawyers, Marketing the Law Firm, Managing Partner, New York Law Journal, Rainmaker's Review and Wisconsin Lawyer.*

In the late 1990's, John served on the national Board of Directors of the Legal Marketing Association (LMA) and was President of its Southeastern chapter for three years. Under his leadership, the chapter was recognized as LMA's Chapter of the Year in 2001. In addition, he was Executive Editor of *Strategies*, LMA's monthly newsletter. He also served on The Florida Bar's Standing Committee on Advertising for six years and was the only non-lawyer appointed to serve on its 2004 Advertising Task Force.

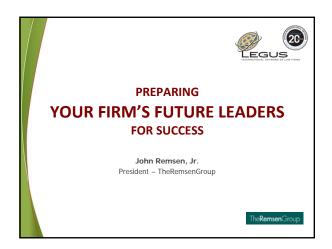
In 2001, TheRemsenGroup launched The Managing Partner Forum, the nation's richest source of information and the most highly acclaimed conference series for leaders of mid-size law firms. More than 900 managing partners from 750 law firms in 42 states have participated in 23 leadership conferences. Designed exclusively for law firm managing partners, the MPF has expanded from its original geographic base in Florida to present programs in Atlanta, Boston, Chicago, Dallas, Denver, Houston, Philadelphia, St. Louis and San Diego.

In 2007, John was appointed to serve as a core member of the ABA's Law Practice Management Section. In 2008, he was appointed to serve on the ABA's Education Board. Since then, he has contributed numerous articles to various ABA publications and has been a featured speaker at ABA meetings and conferences throughout the country.

In 2013, John was elected as a Fellow of the prestigious College of Law Practice Management in recognition of his twenty five years of demonstrated expertise in law firm leadership and management. Founded in 1994, the College honors those who "inspire excellence and innovation in law practice management." Membership is by invitation only and includes just 200 individuals.

A native of West Palm Beach, Florida, John holds an MBA degree from The University of Virginia (1985) and a Bachelor's degree in Business Administration from the University of Florida (1980). Prior to attending graduate school, John was Executive Director of The Florida Council of 100, an organization consisting of Florida's top CEOs and business leaders.

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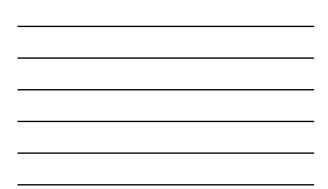


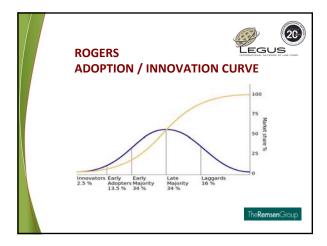










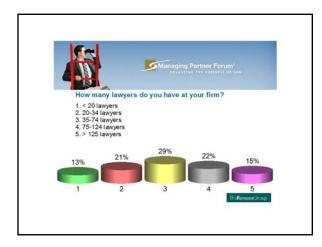












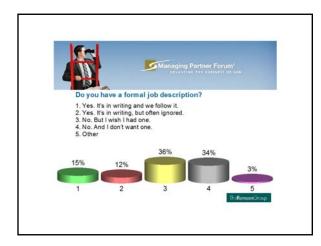




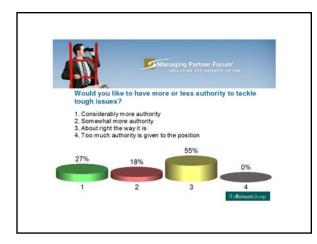




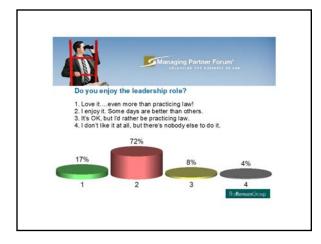




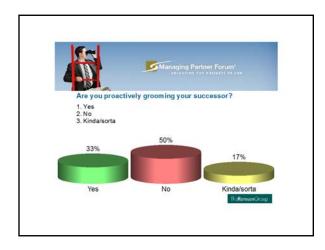




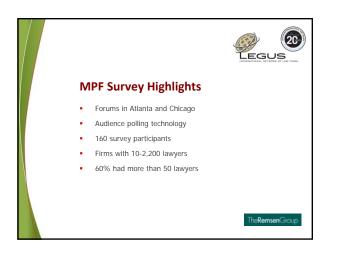


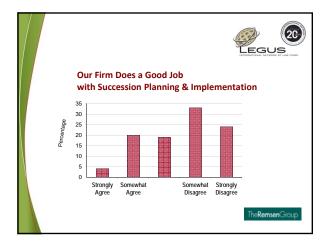




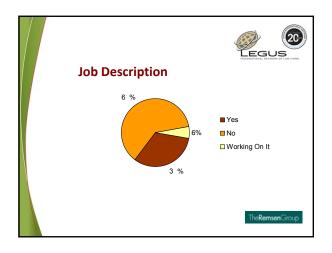




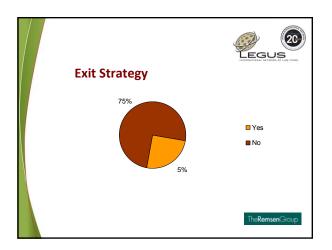






























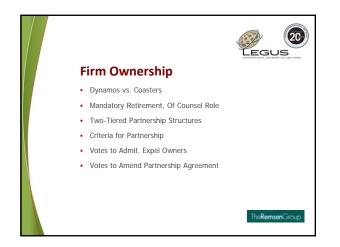








John Remsen, Jr.





Leadership and Governance

- Managing Partner (CEO)
- Firm Administrator (COO)
- Executive/Management Committee
- Department Heads, Practice Group Chairs
- Committee and Task Force Chairs
- Organizational Involvement





John Remsen, Jr.





- Invest in People
- Invest in Firm



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TRG Recommendations

- · Make the commitment to invest time and money
- Take an inventory to identify future leaders
- Proactively groom and encourage them
- Consider leadership skills in lateral hiring decisions
- · Create job descriptions for leadership positions within the firm
- · Appoint the right people to important leadership roles
- Provide adequate rewards and recognition

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MANAGING Cultivating a growth mind-set PAGE 47 TECHNOLOGY BlackBerry essentials PAGE 24 TRENDS Compensating for management time PAGE 8

PRAH

ASK BILL Hard luck hits main street PAGE 10

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VOL. 34 NO.7 WWW.LAWPRACTICE.ORG

THE EVOLVING ROLE OF TODAY'S LAW FIRM LEADER A GUIDE TO KEEPING PACE

LEADING THROUGH THE ECONOMIC STORM

UNWRITTEN RULES

HOW TO CREATE A FIRM-FIRST CULTURE

CASE STUDY

EXPERT ADVICE FOR A FLOUNDERING PRACTICE GROUP

ANNE CASTLE

Lessons in leading from the first female chair of Holland & Hart's Management Committee



LAWPRACTICE MANAGEMENT SECTION MARKETING • MANAGEMENT TECHNOLOGY • FINANCE

THE EVOLVING ROLE OF TODAY'S LAQUE FOR LEADING YOUR FIRM



BY JOHN REMSEN, JR. We all know that the legal profession has changed dramatically over the past two decades, resulting in a new set of challenges that yesterday's firm leaders never had to confront. There's an oversupply of lawyers. More demanding and less loyal clients. More demanding and less loyal partners and associates. Staggering advances in technology. Tort reform in many jurisdictions. Skyrocketing operating expenses. Mergers and acquisitions and unprecedented competition. Certainly these and other trends have created tremendous pressures for law firm leaders-who must change the way they operate if their firms are to remain viable in the long run.

EADERS

et most aren't keeping pace. In the midst of all the change, far too many firms haven't changed much at all. They run essentially the same way they did 20 years ago—like loose confederations of solo practitioners sharing office space.

Why? According to nationally known lawyer-psychologist Dr. Larry Richard and his groundbreaking research on the subject, most lawyers hate change. They also love autonomy and resist rules and structure. They have little patience and want immediate results. They don't like risk and shun the unknown. So for many firms, it's easier just to leave things alone.

On the other hand, some firms "get it." These firms are fundamentally changing the way they do business, with streamlined governance, standardized systems and procedures, strategic plans, and marketing and business development programs. They enforce minimum performance standards for partners and associates. Many are also divesting themselves of low-profit clients and practice groups. They are de-equating underperforming shareholders and asking disruptive lawyers—even those with big books of business—to leave. These firms are emerging as the front-runners in the market because their top levels of leadership have the moxie and vision to make change happen.

The Firm Leader as Change Agent

In today's most successful law firms, the role of managing partner has evolved significantly, from that of a "caretaker" trying not to rock the boat to that of a dynamic consensus builder and change agent. Today the managing partner is the CEO of a multimillion-dollar entity in a rapidly changing industry and needs to exercise critical leadership skills to set the example for leaders at all other levels of the firm and thus ensure the organization's success.

INSIDE

HOW TO Lead Through the Economic Storm 31

HOW TO Work the Unwritten Rules and Lead Change 32

LEADER PROFILE Lauren Stiller Rikleen 34

HOW TO Uncover Opportunities to Lead 37

LEADER PROFILE Anne Castle

38

CASE STUDY Recharting a Course for a Floundering Practice Group

41

THE EVOLVING ROLE OF LAW FIRM LEADERS

Continued from page 29

Of course, knowing that you need to set the course to success and actually doing it can be difficult, given the press of countless to-dos firm leaders tackle every day. Consider this: Last year TheRemsenGroup surveyed more than 170 managing partners from firms ranging in size from 10 to 2,200 lawyers. Of those firms, 60 percent had more than 50 lawyers. When they were asked what their most important contributions were in their roles as managing partner, building consensus among shareholders and initiating change topped the list of responses. In contrast, when asked where they spent most of their time, day-to-day administration ate up way too much of it.

We also asked if these managing partners had a job description: 74 percent did not. In addition, 76 percent did not have a clearly defined exit strategy.

What can we take from this? Too many leaders at the top levels of law firms are winging it.

Steps to More Effective Leadership

A successful firm leader must be a visionary, a communicator, a negotiator, a coach, a disciplinarian, a cheerleader and a psychologist all wrapped up in one person. Needless to say, it's not an easy job, especially when you add management responsibilities to the mix.

There are, however, steps that the top levels of firm leadership can take to enhance their effectiveness and improve the performance of their organizations. Here, in a nutshell, is the guidebook. A successful firm leader must be a visionary, a communicator, a negotiator, a coach, a disciplinarian, a cheerleader and a psychologist all wrapped up in one person. Needless to say, it's not an easy job.

Codify the Top Leader's Job

Every managing partner should have a well-defined job description. It should set forth the primary responsibilities of the position, the amount of time required, and how the partner will be compensated for his or her nonbillable contributions. Also, it should account for the fact that a managing partner's time should be spent mostly in the areas of planning, communication and consensus building. Day-to-day administration functions should be delegated to a capable administrator.

Appoint Strong Group Leaders

A firm needs strong leadership at all levels. Unfortunately, departments and practice groups are too often led by the most senior lawyer or the lawyer with the biggest book of business when, in fact, that may not be the right person for the job. Passion, commitment and leadership skills are required for these important roles. To help ensure the right people are put in the right positions, department heads, practice group chairs and branch office managing partners need job descriptions, just like the managing partner does.

Develop a Firmwide Strategic Plan

The evidence is clear. Firms that have plans outperform those that do not. Planning helps to bring everybody onto the same page, sharing the same vision for the future. Firm leaders have to embrace and encourage the planning process and the plan's implementation at the firm, practice group and individual lawyer levels.

Build a Firm-First Culture

Leaders should always encourage and reward a "firm-first" mind-set and attitude among all the firm's members. There are a variety of ways to do this, including through compensation mechanisms, but even simple steps can prove very effective. For example, insist on the term "our" clients instead of "mine" and "yours." Leaders must do everything possible to promote trust, teamwork and fairness within the firm.

Lead by Example

Managing partners and practice group leaders cannot be hypocrites. They must "walk the talk" by being first in submitting their individual marketing plans, getting their time records in, mentoring younger colleagues, returning client phone calls and otherwise setting the standard for everyone in the firm.

Invest in the Future

According to LexisNexis's 2007 Juris Law Firm Economic Survey, the top performing and most profitable law firms spend more per person than underperforming firms do. They are investing in the future. The lesson: Resist the temptation to enhance profitably through cost cutting. That's a short-term fix. Profitable firms look at long-term impacts.

Groom Successor Leaders

The best leaders are wise enough to identify and mentor a successor for their roles. They give that person important, high-profile assignments so that the firm's people gain trust and confidence in the successor's leadership skills well before the torch is actually passed. In addition, managing partners in particular should have a well-defined exit strategy that is communicated to all shareholders.

Be Passionate

They sure don't teach much about leadership in law schools. But that's not an excuse for failing to strive to be the best firm leader you can be. There are many intricacies involved in steering a firm toward top performance in times of change. To learn more about them, you should attend leadership conferences and ask your firm for training. Read books and articles. Learn from other managing partners and practice group chairs. It's important for leaders to demonstrate that they're devoted to excellence. After all, if the leader isn't committed, there aren't likely to be many followers—and the firm will stagnate as a result. Those firms with strong, passionate and committed leaders, on the other hand, will emerge as the most successful law firms of the future. IP

John Remsen, Jr. (jremsen@theremsengroup .com), is President of TheRemsenGroup, a marketing consulting firm that works with law firms to help them attract and retain the clients they want. He is also the Founder and CEO of The Managing Partner Forum.

LEADING THROUGH THE ECONOMIC STORM

In their recent report "No Chicken Little, The Sky Is Not Falling," John S. Smock, John W. Sterling and Peter A. Giuliani consider the near- and longer-term future of the legal marketplace-and strategies for firms to implement in response. Here's their essential advice for leaders.

It takes a steady hand to lead a firm when there is change and turmoil on so many fronts. In addition to the increasing complexity of law as a business, we are facing economic uncertainty, disruptive local and global events, and new leadership in Washington, D.C. The ability to understand the impact on your practice—and change or steady the course as needed—is a critical component of the law firm leader's role. So what's a firm leader to do? Here are six key ways to stay strong despite the economic storm and ready your firm to grab new opportunities—because, yes, there is plenty of good news for law firms.

RECOMMIT TO EFFECTIVE MANAGEMENT AT FIRM AND PRACTICE LEVELS.

The evolution that's been under way at many firms to get to good management practices must be stepped up to a *revolution*. Many firms still sub-optimize their management effectiveness. The marketplace will not allow it now or in the future.

■ FOCUS ON EXECUTING THE STRATEGIC PLAN. That is, do what you said you were going to do and be who you intend to be. A down economy gives a strategically focused firm an opportunity to dramatically improve its position, increase the bonds between the firm and its people and attract people who fit with the firm's direction. Abandoning the strategy and hunkering down until the storm passes is not the way to deal with this marketplace.

■ CULL THE PRACTICES. Now is the time to ensure that the firm's complement of practices is the complement the firm believes it needs to be successful, now and, very importantly, in the future. This does not mean getting rid of the less-than-profitable practices and only keeping the more profitable ones. It means making conscious decisions about which practices fit the firm's strategy and will be necessary to meet the needs of the clients it serves and desires to serve in the future. Carrying a non-strategic, underperforming practice serves little purpose in the present economy and could be truly damaging.

CULL THE PEOPLE. Many firms have underproductive partners and associates who drain resources from what the firm is trying to do and whom it is trying to reward. Now is the time to make those tough but essential decisions about people. Remember, every dollar paid to an unproductive partner above what he or she is worth is a dollar *not* paid to the productive ones.

■ FIX THE COMPENSATION PROCESS. You need to ensure that you reward what's important to the firm's survival and prosperity. Associate compensation needs to be changed to reflect varying performance and get out of the socialistic/lockstep environment that currently exists. Partner compensation should also be reviewed and, if needed, adjusted.

■ INCREASE MARKETING AND BUSINESS DEVELOPMENT. Marketing in law firms is too often seen as a cost rather than an investment, and when results do not meet expectations, marketing is cut. But in downtimes, effective marketing is even more important than in the good times. Cutting or gutting the marketing program not only won't work, but it may accelerate downward trends. UP

John Smock, John Sterling and Peter Giuliani are partners in Smock Sterling Strategic Management Consultants. To read their full report, visit www.smocksterling.com.

LPBUSINESS

PRACTICAL STEPS IN MARKETING, MANAGEMENT AND FINANCE

7 Strategies to Succeed at Law Fi rm Leadership

By John Remsen Jr.

he title "managing partner" falls short of the mark in describing the work of a law firm leader. "Chief executive officer," in my opinion, is more accurate. Terminology evolves so that some titles no longer reflect their original meaning.

MANAGING PARTNER HAS BECOME **SUCH A TERM.** When a managing partner is named, is the law firm really appointing a manager in the corporate sense? A manager, after all, is a caretaker responsible for oversight of a unit or department.

A recent survey on the topic of law firm management and leadership asked those polled to distinguish between a "manager" and a "leader." Insights that the survey respondents • Partners perceive themselves as being owners of the firm, having certain prerogatives and independence, not as employees to be managed.

• Each firm has its own personality and culture, and the management techniques effective in one firm may or may not be successful in another.

In the face of these hard realities, many managing partners retreat into the noncontroversial confines of day-to-day man-



A CEO's primary responsibilities should include strategic planning, setting the future direction of the firm, cultivating relationships with major clients, and identifying and grooming future firm leaders.

offered included, "Management is mechanical, while leadership is inspirational," and "The leader sets the direction and the plan, while the manager implements the plan."

Another survey respondent was more pointed: "Managers implement what leaders want them to do. Most law firm managers want to be loved and not to lead." Saving that managers want most to be loved may overstate the case. But it does sum up the problem. If a law firm needs vision, inspiration, motivation, cohesion, consensus, direction-setting and the establishing of firmwide goals, it needs strong leadership committed to that work.

LEADING LAWYERS

The hard realities of law firm leadership are apparent. Among them:

• The authority of lawyer management (or leadership) is derived from the willingness of the firm's partners to be managed (or led).

agement, putting aside attempts to exercise true leadership. What is needed instead is a well-thought-out plan to lead your firm forward into the 21st century.

SEVEN STEPS TO SUCCESSFUL LEADERSHIP

Create Job Descriptions for Yourself, Your Successor and Other Firm Leaders.

Remember, you're drafting a job description for a CEO, not a manager. Think of your job description as a contract with your partners. At a minimum, it should delineate the amount of time you will devote to management responsibilities. A CEO's primary responsibilities should include strategic planning, setting the future direction of the firm, cultivating relationships with major clients, and identifying and grooming future firm leaders. To compensate for time lost from your personal practice, the job description should define your pay structure.

Redefine the Role of Practice Group Chair. senior managers to acknowledge the time they must devote to Practice group chairs are too often treated as lions management matters and for the firm-benefitting results that among their prides. Often they are appointed because they achieve. they are the senior member of the group or the most effective rainmaker. This does not mean they are the most effec-Start (or Reenergize) the Strategic tive manager, the best mentor or the most committed to the **Planning Process.** success of the firm. Practice group chairs should be elevated to A strategic plan is a living document that requires the level of senior management. They should be given the full modification and fine-tuning from the first day it is impleauthority to manage their groups. Practice group leaders need mented. If you have been selected as the firm's managing to be chosen based on the ability and the commitment to lead.

Get to Know the Firm's Client Base Personally.

No partner should "own" a key institutional client. Managing partners should reach out to client contacts and underscore the message that the firm-not only the client's chosen counsel-is pleased to be of service. Ask the client for feedback, learn the client's business and the industry, and strategize to help the client reach its goals. Do more for the firm's clients than simply putting out fires.

Identify and Hire a Strong Chief Operating Officer.

If you are going to be an effective leader or CEO, you have to get the minutiae off your desk. Delegate day-to-day administrative responsibility to a strong, competent executive director or COO. This person should head up a team of business professionals and serve as your trusted "second hand" on the leadership team.

Offer Reforms to "Time and Money" Matters.

You will be asking senior management to take on a more extensive and defined role in the operations of the firm. Adjust the time demands on the executive committee and the practice group leaders to allow for sufficient nonbillable time for them

BY JOHN REMSEN JR.

to fulfill their management responsibilities. Likewise, adjust the compensation criteria for



partner, presumably you have a vision of what you want the firm to become, what you want it to achieve. Sell this vision and muster a supporting coalition among the equity partners. You don't need to win them all over, but you will need an effective critical mass and working majority. With this group at your back, start small and keep the initial goals simple. Suggest three or four one-year priority items with sufficient low-hanging fruit to show short-term wins. Consolidate your gains and move forward.

Maintain Your Firm's Investment in Its Future. The challenges of launching new initiatives, creating consensus and moving your firm forward can sometimes cause a firm leader to forget about the little things that, in the end, may prove to be just as important as greater goals. Don't forget to implement a first-rate training and associate development program. Here lies the future of your firm. Don't forget about marketing and business development initiatives. These provide the growth that will finance your firm's future. Don't forget about technology upgrades. These are the essential tools that keep your firm on the cutting edge and ahead of the pack. And don't ignore your successor. Heirs apparent need the opportunity to learn the principles of law firm management.

The old Chinese proverb says that a journey of 1,000 miles begins with a single step. Becoming a leader of a law firm is similar. A CEO must, step by step, patiently bring along the uninterested, the doubters and the curmudgeons to join the advocates and the reformers. Bold vision and small steps are the stuff of leadership. LP

John Remsen Jr. is president and CEO of the Managing Partner Forum, a resource for managing partners and law firm leaders. He is also president of TheRemsenGroup, a consulting firm for midsize law firms.



FIVE LESSONS FOR NEW FIRM LEADERS

GLENN B. CALLISON, ESQ.

When I stepped in as the new chairman and CEO of Munsch Hardt Kopf & Harr on Jan. 1, I realized that I had much to learn if I hoped to be effective in leading this \$50 million enterprise.

Fortunately, I had the example and guidance of my predecessor, Jim Jordan, to help with the transition. I also sought the counsel of trusted friends and proven business management resources, such as Jim Collin's excellent book, "Good to Great: Why Some Companies Make the Leap ... and Others Don't."

The firm has survived -- and, in many aspects, even thrived -- during my first nine months as CEO. While I know that I don't deserve much credit, I have discovered a few things along the way. Each day brings numerous opportunities for new learning, through the process of trial and error, happenstance and circumstance, and just plain luck. The following five lessons have proved the most helpful.

1. Know Who You Are.

Understanding the firm's culture and fostering an environment that cultivates those unique aspects are critical to a firm's future growth and success.

I started with a complete evaluation of the two key assets of Munsch Hardt: people and relationships. That meant looking at the members of the firm and at our clients.

Working with our executive director, I completed an analysis of each attorney at the firm. We studied their client relationships, the files on which they're billing time and the matters on which they spend nonbillable time. Next, I reviewed more subjective data related to work groups, practice areas and individual attorneys, focusing on lawyers' substantive skill sets and client management abilities.

Then, we did the same thing for our clients, pulling a list of our top 50 clients, analyzing trends in specific client groups and examining opportunities for improved representation.

Avoid the temptation to skip this step. One of the primary nuggets of wisdom from "Good to Great" was that leaders must first focus on the "who" before turning to the "what." Assessing the firm included an honest appraisal of its strengths and weaknesses, in terms of the quality of legal services and market position with clients.

2. Determine Where You're Going.

After focusing on who makes up the firm, it was time to look at our direction.

At Munsch Hardt, a long-term strategic plan provides the essential road map to future opportunities and the statement of purpose for the ongoing firm activities. The firm formulates its strategic plan on a three-year basis, allowing a continual evaluation of where the firm is heading and how it will get there. As a three-year period draws to a close, we discuss the plan and what changes to make for the next plan cycle. Throughout the three-year period, we review the plan and tweak as needed.

Developing a comprehensive plan requires obtaining broad-based input from all constituencies across the firm. The firmwide discussion begins with the management committee, moves to all shareholders and then expands to all attorneys for suggestions and comment about the plan. The process creates buy-in from attorneys at all levels, because of their collective investment in the firm's strategic goal.

We move the strategic plan from an idea on paper to a concrete reality by having each section in the firm evaluate how the plan applies to its particular practice area: What do the overall goals mean for the corporate or litigation sections? The sections then drill down to the attorney level; every lawyer develops an action plan for his or her practice that comports with the section plan, which feeds into the firmwide plan.

3. Understand How the Firm Measures Success.

Often, firms measure their relative success strictly in terms of a single numeric evaluation. Whether the measuring stick is the number of attorneys, gross revenue, profits per partner or revenue per attorney, the resulting one-dimensional evaluation can fail to accurately reflect the organization's progress or strength.

Escape this trap by using multiple objective metrics for evaluating firm performance. Also, consider the efficiency and effectiveness of the legal services delivered and the realization of invested time and resources -- how do clients receive value, and how does the firm benefit from a particular matter or relationship?

Also examine more subjective elements related to client satisfaction and firm morale. This takes communication -- both external, in the form of reaching out to clients, and internal, through a formal process of 360-degree evaluations, so people within the firm can evaluate others above or below them.

The firm should also tap into more informal feedback channels. For example, after Munsch Hardt moved into new offices, I heard through the grapevine that the new space meant less interaction among staff, which was leading to people feeling less connected. We added opportunities for people to get together and see each other, such as an ice cream social and impromptu happy hours.

4. Realize Leadership is by Consensus and Example.

Outside the firm setting, people misunderstand this topic more than any other. Unlike most business organizations, effective leadership within a firm comes by building a consensus through continual communication among the members of the firm rather than any power inherent in the CEO or managing partner position. Furthermore, a leader can only expect hard work and discipline from his fellow attorneys to the extent that he has demonstrated the same qualities in his practice.

Shortly after beginning my term as CEO of Munsch Hardt, my 11-year-old daughter asked how I liked being the boss. I responded by letting her know that I now answer to 100 bosses. That's the reality of leading a firm.

5. Accept that Change is Constant.

This fact became evident almost immediately after taking the reins. Business cycles cause busy practices to slow and vice versa; attorneys join, leave and sometimes rejoin the firm; associate salaries move up (this seems to be more of a one-way trend); and software and hardware become dated and need upgrading. Managing these neverending changes can be one of the most time-consuming duties for a firm CEO.

Anticipating the coming changes and finding the opportunities to move the firm forward clearly are the keys to success. To do this, firm leaders must manage by looking forward, not by looking in the rear-view mirror.

Approach change as an opportunity, as opposed to a nuisance. If it's time to upgrade firm technology, don't just view the task as getting a new software platform. Ask how the firm can use a new tool to communicate better, create a better work product and become more efficient.

New firm leaders can take heart in the fact that good management has more to do with common sense, discipline and hard work than bold new moves and true creative genius. I happen to find this quite a relief.

About the Author

Glenn Callison of Dallas is chairman and CEO of Munsch Hardt Kopf & Harr. He has served on the firm's management committee and shareholder compensation committee, coordinated lateral hiring and led the firm's hospitality practice group. His practice focuses on commercial real estate and business transactions. His e-mail address is gcallisonmunsch.com



NINE RULES FOR LAW FIRM LEADERS

ROBERT W. DENNEY

It has often been said that running a law firm is different from running a business. That's true to some degree. But it's also an excuse for the poor management that exists in many law firms today. Anyone with experience in managing companies and law firms knows that there are far more similarities than differences. It's the similarities that are important. Based on our experience, we have developed certain ground rules for running a law firm – or any other business or organization.

RULE #1: People, not structure, make the organization work or fail.

Adopting organizational concepts just because they are theoretically correct or have worked at another firm is a mistake. A firm must evaluate itself and its people. Dedicated and competent people can make almost any structure work. Incompetent people will be ineffective regardless of the structure.

RULE #2: With age, people reach a point where their energy levels or capabilities fall below their job responsibilities.

This is natural. And when it happens, the firm has an obligation to provide opportunities for these people to continue to contribute in a meaningful way. If they can no longer be productive or pull their weight in their current roles, then they should be removed from the mainstream. On the other hand, advancing age by itself is not a valid reason for removing anyone. Furthermore, it's not legal. There is nothing more wasteful than pushing an experienced and capable person aside simply because the calendar has advanced.

RULE #3: Recognize that most firms now consist of four generations.

Each generation has different characteristics and core values, all of which are important to the success of the firm. Therefore, firm leaders need to be flexible in their communications and personal interaction.

RULE #4: Every person in the firm should know what is expected of them, how their roles fit into the whole and how their performance will be measured.

The ultimate payoff should always be for achieving results, not just for making the effort. Those who perform well should receive greater recognition and reward. Those who don't must expect limited rewards, lesser responsibility or even removal. Sub-par performance, productivity and attitude drag everyone down and hurt the firm.

RULE #5: Most committees are a waste of time.

A committee may be useful, and even necessary, where a cross-sectional approach is essential or an oversight function is too much for one person to handle. But most law firms, including the largest, have too many committees. Task forces are acceptable, if they are formed to accomplish a specific objective – such as developing a strategic plan – and are then dissolved when the objective is accomplished.

RULE #6: The strategic plan must be in writing - and it should be short.

Regardless of its complexity, a sound plan, properly thought through, can be put down in a few paragraphs. Please note, that's paragraphs, not pages. Most firms spend too much time on developing the plan and have no energy or enthusiasm left for implementation. Around 90 percent of the benefits of planning come from the first 20 percent of the effort. The rest takes unnecessary time and just makes everyone feel good. Take the first 20 percent and run with it.

RULE #7: Implementation is essential.

Once a plan is developed and adopted, it must be implemented. The plan must define specific objectives that can be measured along with an implementation schedule that states the timetable for accomplishing them and who is responsible. Hell is paved, not only with good intentions, but with plans that were never implemented.

RULE #8: Successful leaders and managers know what is going on.

They cut across or through organizational lines and talk to anyone in the firm without anyone else's advice or permission. Tom Peters defines this as "management by walking around."

RULE #9: An effective leader or manager creates a healthy environment that permits people to work productively, develop themselves and achieve their aspirations.

This does not mean trying to make everyone in the firm happy or making work easier. It means fostering an environment and culture that consists of absolute honesty and integrity, a genuine interest in addressing and solving problems and pride in accomplishment. These rules are not easy to follow. But successful firms, businesses and organizations follow them.

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LEADING LAWYERS: YOUR MOST POTENT TOOL IS YOUR MINDSET

DR. LARRY RICHARD

Are you a practicing lawyer who is transitioning into a leadership role? Whether it's as a managing partner, practice group leader, office managing partner, or executive committee member—in all cases, to be effective as a leader, you need to make a significant shift in your mindset in several ways.

First, many lawyer-leaders default to the role of "manager"—making sure that important things get done in a regular and predictable way (timesheets are turned in, mentoring younger lawyers takes place, work is assigned rationally, etc.). There is certainly a need for management, but today the greater need in law firms is for leadership, i.e., determining what direction your constituents should go in, and then encouraging them to voluntarily go there. So in addition to thinking like a manager, you also have to think like a leader.

Leadership is a natural response to change. When making decisions, leaders, by definition, never have all the information they'd like to have. Thus they depend on establishing credibility and a trust relationship with their constituents. This, in turn, requires a large dose of emotional intelligence and other relationship?building skills. These are learnable skills, and lawyer-leaders need to increase their competence in these areas.

The second and more important mindset shift that you need to make is an extension of the first. You need to shift your mindset about how best to influence people.

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In your role as "lawyer", you have been trained to influence others using an "advocacy" model, rather than a "behavioral influence" model. In the advocacy model, we influence by marshaling a series of persuasive syllogisms with which we regale the object of our influence in the hope that the force of logic will persuade them to our point of view. In a litigation, this is a winning strategy—but mainly because there is a neutral third party present to adjudicate the issue between adversaries. If you try the same technique with one of your partners, you may have noticed that the typical response is not capitulation.

Instead, the other person will dig in their heels, harden their previous position, and marshal their own best arguments about why you're wrong and why their view should prevail. Advocacy as an influencing tool is utterly ineffective and inadvisable as a leadership strategy when your mission is to effectively lead other lawyers.

What does work? A "behavioral influence" approach. Over the past 30 years, considerable attention has been paid by psychologists to the methods used by highly effective influencers in society—advertisers, fundraisers, public relations experts, lobbyists, and business leaders. The methods of these "natural persuaders" have been analyzed and codified, and it turns out that all of them rely on just a few simple strategies that are very effective in getting large groups of people to do what the influencer seeks.

Law firm leaders need to understand these natural pillars of influence. They include role modeling, social proof, commitment and consistency, and similarity.

Role Modeling

We are all wired to pay more attention to leaders and other authorities than to our peers. In particular, we pay far more attention to what leaders do than to what they say. So the first rule of influence is that a leader must "walk the talk." You can't ask others to turn in their timesheets on time when you don't turn your own in on time. This is a far more powerful principle than the timesheet example might lead you to conclude. If you are asking people to try behaving in a new way, it is imperative that you take the lead in doing the new behavior yourself. It also helps to enlist other highly respected and visible firm leaders as well—there's strength in numbers.

Social Proof

Also known as "the bandwagon effect", this is more or less a first cousin to the role modeling principle. If role modeling tells us that rank and file lawyers will look up to leaders, social proof tells us that they also look to their peers to obtain guidance about what the proper behavior should be. This is especially true during times of great change such as we're going through now—the ambiguity that results from a rapidly changing environment increases people's need to look around and see how others are behaving.

The lesson here is to enlist thought leaders—lawyers that others look up to but who are considered peers of the other partners—and one by one, make a personal plea to each of them to adopt the desired new behavior. A small number of thought leaders adopting a new behavior is a powerful inducement to all the other partners to adopt those behaviors too.

Commitment and Consistency

Human beings like being consistent. We don't like the tension that exists when we believe we are one kind of person and then we behave as if we're another kind of person. When that kind of discrepancy occurs, there is great psychological pressure to bring belief and behavior into alignment. In some cases, changing one's behavior is the easier path; in others, changing one's belief is the easier way.

The main point is that if you can get your partners to try a small version of a larger behavior...that "toe in the water" often makes it much easier for people to move on and adopt the full?blown behavior that you're hoping they'll adopt. So start small. Begin with little steps, and build from there.

Similarity

The last principle is based on the idea that we are much more likely to allow ourselves to be influenced when we believe that the person asking us to change is just like us. So before you make a request of your partners to do something new or different, you first should consider showing them how others just like them have already done so. This principle dovetails nicely with the "social proof" principle—although they are technically two separate and distinct psychological patterns, they work very well together, and often overlap.

If you begin using these behavioral influence methods instead of relying on logic alone, your ability to lead other lawyers will grow commensurately.

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IEW ATTACHMENT



LAW FIRM INNOVATION: FROM IDEA TO IMPLEMENTATION IN FIVE INCREASINGLY DIFFICULT STEPS

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Law Firm Innovation: From Idea to Implementation in 5 Increasingly Difficult Steps

By Jordan Furlong

The great actor lay on his deathbed, and his friends gathered close to him. His best friend, holding his hand, leaned in and murmured, "You poor man. Dying is so hard."

The actor's eyes shot open and he glared at his friend. "Dying is easy," he snorted. "Comedy is hard."

In much the same vein, we can freely admit that the idea of innovation is easy — it's the work of a moment to imagine any number of ways in which law firm operations could be improved. Implementation — the successful, sustainable execution of the innovation — that's what's hard. And the law firm landscape is littered with the remains of many failed innovations that couldn't cross the bridge from idea to implementation.

So how can it be managed? To my mind, there are five steps in this process — and I' m sorry to report that each step is more difficult and challenging than the previous one. But it seems to me that the successful implementation of a legal innovation requires most if not all of these elements, in roughly this order.

This is no small challenge — in fact, as we'll see at the conclusion of this article, it's literally an existential challenge for law firms today. But it can be done. And right now, in this environment, it *has* to get done.

1. Facts. Start with data. Evidence. Verifiable information. Business intelligence. We have a truckload of myths about lawyers and the legal profession, and we have no shortage of opinions and assertions masquerading as law firm strategies. What we need are facts.

Specifically, you need facts about your law firm, data about your business. Most law firms know astonishingly little about themselves beyond what they spent, what they billed, and what they made last year. We need to know our firms inside out financially and structurally, both retrospectively and prospectively.

Here's an easy example: "What's your cost of doing business?" What do you spend, what resources do you consume, to run your business and deliver your services? What did it cost you to serve this particular client or provide this particular service last year? What will it cost next year? We are barreling towards a legal services market where fixed prices for products and services will dominate. But without precise knowledge of your costs, and without a workflow process that ensures those costs are sustainable and predictable, you cannot name a fixed price that will generate a profit.

Here's a harder one: "What do you actually sell?" I don't mean that in the abstract sense of "value to clients" and so forth. I mean: what, precisely, is your inventory? What do your clients actually give you money to accomplish? What are your deliverables? Not just: "Conducted a merger: \$500,000." What were the specific elements? Who or what did

them? How long did they take? How much did they cost? Break down everything you do. No other business with the annual turnover of a law firm is so ignorant of its own inventory.

You need facts in order to choose the right activities and make the right decisions for the future of your firm. But more importantly, you need them to get the attention of your partners. Show them that you have evidence for what you're saying and doing. We've had more than enough faith-based decision-making in law firms. It's past time to start making reality-based decisions instead.

2. A Catalyst. You need some sort of outside intervention, something to introduce a sense of urgent change. Law firms are not, shall we say, naturally given to proactive self-improvement. Most are what you might call "steady state": self-contained environments, sealed off from outside influences. It takes a lot of pressure to break that steady state. Fortunately for us, you can have your pick of high-pressure catalysts right now. Falling revenue. Declining profits. Loss of a key client, partner, or practice group — choose one or more.

And if you can't find a catalyst, make one: Invite senior representatives of your five biggest clients, and the relationship partner in charge of each one, to a discussion panel in your office. Ask the clients to talk about the pressures they're under, or the three things your firm could do that would make them break off the relationship, or three things they would handsomely reward your firm for doing. Bring the crisis home to the partners with the most to lose.

3. A Process: If you hope to actually accomplish something big and disruptive in a law firm, you need to have a clear, detailed process in place. How to do this? I say, start with a basic legal project management (LPM) template.

Fire up those Gantt charts and lay out the following: This is the goal. These are the steps. These are the milestones. This is the timeframe. This is the budget. These are the people. These are the performance expectations. These are when the expectations will be tested. This is the nature of the commitment we're all making to this project.

And then follow up, all the way through to the end. You don't launch an innovative change process in a law firm the same way you launch a ship. You don't smash the champagne bottle on the hull, call out "Bon Voyage," and look forward to its arrival on the other side of the ocean. You walk it through, every step of the way, and see it safely through the storms. And that brings us to the next tough step:

4. Leadership. I don't necessarily mean leadership from the top, the managing partner or CEO, although you certainly do need that. In my experience, though, these are usually the most forward-thinking, change-amenable people in the firm. I'm talking more about the practice group and industry group chairs. In many firms, those people occupy those positions in title but not in action: they're often rainmakers or heavyweights, rather than

actual managers with leadership skills, and they have the most vested interests in the *status* quo.

What do you do in that situation? I think you get those people out of leadership positions as fast as you can, and you replace them who people who possess actual leadership skills and/or are on board with the change process. Move the incumbents out any way you can: buy them off with a bonus for retiring the leadership position, or give them a fancy title, "Strategic Counsel" or "Chair Emeritus" or some such. Lawyers love titles.

There's a larger issue here, however. Projects that ask lawyers to do something new, that require non-billable effort, and that will change the way they do their jobs, have a very high mortality rate in law firms. The reason is simple: non-performance by lawyers of requested or assigned duties is common, and few if any consequences flow from that non-performance. True law firm leadership is evidenced by both a willingness to place oneself at the collision course between what the firm needs and what its individual partners want, and an ability to survive that collision. And that brings us to our final ingredient:

5. Courage. Here's the crucible. If you seriously want to get an innovation from idea to implementation in your law firm — no matter the size of the innovation, no matter the size of the firm — you must have courage. You must be ready and willing to absorb criticism, complaints, threats, and tantrums, and you need to be ready and equipped to deal with them swiftly.

If you want to lead a law firm innovation, I recommend this thought experiment: fastforward to the day, several months down the road, when the process is starting to really dig in and true change is imminent. One of your key rainmakers walks into your office, closes the door, and says, "Let me make myself clear. You can have all the fun and games you want. You can introduce as many little innovations as you like. But not in my department. Not in my practice. Try to push me on this, and tomorrow I'll walk right across the street to our biggest rival, and I'll take my top five clients with me, and the first you'll hear about it is when you get the press release announcing the move."

What do you do? If you're serious about innovation, and if you have the leadership and the courage on hand, I think you have to reply: "Thank you for all your service to this firm and its clients. It has been highly valuable and deeply appreciated. But if that is your position, then you don't need to wait until tomorrow. You can leave right now. We're a team, and we want you on our team; but if that's not what you want, then it's best that we part ways immediately."

The other partners will scream, of course. "You can't let him go. He'll take X clients, deprive us of Y money. You've got to keep him here." And you need to respond, "He's never really *been* here. If he's ready to walk out over this today, then he'll walk out next week over something else, or when he gets a better offer; or he'll retire, having developed no one to take over his practice. Our firm needs this innovation, and it needs partners who want the firm to come through this process and be stronger on the other side. That's what's at stake here."

That's a highly dramatic example, obviously. But if serves this purpose: if you have an idea for an innovation in your firm and you really want to see it happen, fast-forward several months after the launch, to the moment when that partner is in your office, issuing his ultimatum. If you don't think you can stand up to that lawyer — if you or your partners lack the courage and leadership to draw that line — then I would recommend postponing any innovative efforts until you have what it takes.

But this is exactly why you need to start with facts, to make clear just what's at stake; why you need a catalyst to demonstrate that the time is now; why you need a process to get the wheels moving and generate just this sort of crisis. This is how you gain the commitment of leadership to put the interests of the firm ahead of the interests of its individual partners.

Because really, at this stage of the game, this isn't just about innovation anymore. This is really about explicitly deciding a long-simmering, implicit debate over whether you're running a farmer's market of sole practices under one roof, or whether you're running an actual law firm. That's the question of the moment for virtually every law firm of every size out there. Firms have put off dealing with this painful question for as long as they could, but the pain has only gotten worse the longer they've waited. The time has now come to finally deal with it.

Marshall your facts; identify your catalyst; lay out your process; call on your leadership; and summon your courage. That's how innovations get done. It's also how law firms survive, or don't, in this environment.

Jordan Furlong is a lawyer, consultant, and legal industry analyst who forecasts the impact of the changing legal market on lawyers, clients, and legal organizations. Over the past five years, he has addressed dozens of audiences (including law firms, state bars, law societies, bar executives, law schools, judges, and many others) throughout the United States and Canada on the evolution of the legal services market. In 2012, he was named by Canadian Lawyer magazine as one of Canada's 25 Most Influential Lawyers.

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