



## HANDING OVER THE REINS: HOW WILL YOU TRANSITION?

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Over the years I have dealt with many management transitions. Sometimes they go well. When the process does not go well the damage to the firm can range from mild malfunction to extremes including defections or dissolutions. As with any process, the devil is in the details. Forethought and planning increases long-term success, and eases short-term discomfort. Remember, lawyers do not embrace change readily. Even good change is still a leap into the unknown; a leap many cannot make without assistance.

Managing attorneys vary greatly from firm to firm. There's no one right formula for success. Firm cultures are unique, and what may be a good fit at one firm can be a disaster at another.

At some firms the selection of a managing attorney is simple. The position goes to the most successful rainmaker; often one of the founders of the firm. Although he or she may have little or no leadership or strategic planning ability, it helps to have a leader who wields a large book of business. Those lawyers who refuse to be led – often many, since attorneys are at the extreme end of the scale on the personality characteristic of autonomy – can at least be intimidated to stay within reasonable boundaries of conformity by someone with a major book.

The “benign dictator” model of managing attorney has positive and negative factors. Firms led by this type of personality tend to maintain alignment of vision and effort among its members. Progress is steady. Change is accepted when necessary to respond to market conditions. On the other hand, the prevailing culture is typically “my way or the highway,” and there is little room for compromise between differing opinions and styles. Partner and associate defections occur regularly.

At some firms the position of managing attorney is more of a booby prize. It is often said that the person who is absent from a meeting where an election is held, risks being nominated and elected in their absence. Typically, the managing attorney position is culturally viewed as nothing more than the unglamorous responsibility to count paper clips, and sacrifice a significant amount of time to the day-to-day management of the firm, rather than to building ones book. It's a shame, because the cultural disregard for the position becomes a self-fulfilling prophecy. These firms are

the least likely to do well in adverse conditions, and are often bypassed by competitors who are led to think and act far more strategically.

Fortunately for a lot of firms, the selection of managing attorney is a thoughtful process. It is rightly regarded as a position which will have a critical impact on the well-being of the firm. The ideal candidate needs to possess a balance between many characteristics; control of a book of business and professional skills sufficient to garner respect; emotionally intelligent enough to speak and act thoughtfully and purposefully; committed to improving the quality of life at the firm, the bottom line, and the competitive standing of the firm, to name a few.

Regardless of the style of managing attorney, and whether or not there are additional attorneys who serve on management committees, it is inevitable that eventually a change must occur. At firms where managing attorneys are elected, there are usually limits to the term. I usually encounter firms with terms of 3 to as many as 10 years for the managing attorney. Occasionally, the position is of virtually unlimited tenure, either due to desire of the managing attorney to maintain control, or a real or perceived lack of other viable candidates. Whether a change occurs due to advancing age, death, disability, or burnout, at some point in time change becomes unavoidable if the firm is to continue.

As I mentioned at the beginning of this article, I've witnessed the best and worst of transitional processes. Based on experience, here are some suggestions to ensure your transition is a successful one.

- Keep in mind that transition affords the firm an opportunity to make changes in more than a title. It is the right time to step back and assess how well the management process has worked, and whether change might be warranted. Review the scope and authority of the position. Decide whether more or fewer people should share management responsibilities.
- Create a blueprint for success. Whenever possible, the managing attorney should provide sufficient notice so that there is a period of time where outgoing and incoming work collaboratively in creating a smooth transition. Model the process used at most Bar Associations, where the President-Elect works closely with the President prior to taking office.
- Keep lines of communication open. Remember that change is scariest to those on the sidelines who are not privy to the details and thought processes involved in the transition. I've seen law firms lose good administrators who anticipated that the likely replacement candidate would not afford a good working relationship. I've seen associates and staff jump ship



in fear of a radical change in firm culture. If there will be a reorganization, take additional time to map out the new organizational chart, and review it with professionals and staff. They should know who the “go to” people are for each management area.

- Before jumping to the conclusion that no suitable candidates are available at the firm, try to more objectively define what traits will be necessary for success. Firms which are culturally consensus-driven, for example, do not necessarily need a managing attorney with a large book in order to be successfully led.
- If your firm has no one capable of or willing to assume the responsibility of managing attorney, then the firm must think of other available options. A well-known lateral is sometimes a strong option. It may be the only option if the members of the firm feel strongly that the culture of the firm is unique and worth preserving.
- Perhaps your firm needs to find a new home. Merging into another well-managed firm certainly resolves the management void. Pay close attention to the culture of the acquiring firm. Often that will be a stronger determinant of your desire to go to work every day than compensation. Get your ducks in a row before putting your firm on the market.

This is not an exhaustive list of options or considerations. Just a little bit to get the creative thinking started. Remember, if you’re faced with transition issues and need some assistance and objective feedback, I’m here to help.

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