



WHEN FAMILY WORK TOGETHER

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I have had the pleasure of working with many midsize and small firms over the years who had various iterations of family members working together. I have never had issue with the policy itself. However, from time-to-time I have found that management issues erupt. They are almost always caused by lack of awareness and diligence as to how this arrangement might go wrong, and how to avoid it.

- **Taking work home.** It's a common mistake. Mostly it takes its toll on spouses who work together, but I've also seen it among siblings. Time is short, and there's a tendency to use "downtime" to discuss the office. Even if there are no serious disagreements, vital family time decreases. There is minimal time to decompress before heading back to the office. Stress levels rise. Tempers become short.

Even an otherwise happy marriage can unravel under the stress of living and working together. Both can be difficult environments. When one overtakes the other, balance is lost. Without balance one tends to lose perspective.

When there are disagreements about issues at the office — a frequent scenario — it is important to work on resolution at the office, no matter how tempting it is to try to do so at home. Don't let one environment poison the other.

- **"Just" a relative.** When there are others employed at the firm besides the family members, problems frequently occur because people develop attitudes that the person is only there because of the relationship, rather than talent. Without on-going empowerment, recognition and support by the higher-level family member, the other family member(s) can suffer from a severe lack of respect from others, passive aggressive behaviors,

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and even departures due to a perspective of favoritism.

Favoritism in particular can be costly. For example, at one firm a senior associate who had already started developing a strong book of business was suddenly working with the newly-admitted son of the owner. Within a year the associate learned somehow that the son was earning the same compensation. The next year, discussion about elevation to partnership revealed equal timing. It was a very dicey situation which could have been avoided.

By the same token, sometimes family members don't necessarily work to earn respect. There is an understandable entitlement mentality. Notice I said understandable; not correct. The reality is that family members must actually work harder at earning and maintaining respect and recognition for achievements, than a stranger would to achieve the same result.

- **The sacred cow.** Sometimes the relative is not good at the role assigned. It could be a sibling or child who turns out not to be a good lawyer. Of a spouse serving as office manager who is so demanding that there is constant turnover of staff.

I have worked at too many firms where other partners are literally unable to voice opinions where performance is concerned. They are frustrated when these situations occur. This frustration often morphs over time into strong resentment, even loathing. I have witnessed more than one firm dissolution under such circumstances.

When a family member is joining a firm, there has to be a candid discussion first. Other partners have to be able to speak up if they are not happy about how the relationship develops over time. And there should never be retaliation as a result of someone speaking their mind.

- **No isn't an option.** It doesn't happen often, but sometimes family members are literally drafted into the firm. It doesn't matter whether or not they really want to assume a role; they are literally bullied into taking it. Trust me this is a formula for disaster which is sure to negatively impact both work and home environments. It can destroy familial relationships at all levels.



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- **It can unravel quickly.** One thing to keep in mind in the case of spouses who work together as partners at their own firm, is the likelihood that the unraveling of the relationship either at work or at home will unravel the other. For that reason, when I work with partners who are spouses, I strongly recommend a written partnership agreement which includes language related to dissolution of the partnership. I also recommend a post nuptial agreement, too.

I want to emphasize again that I am not opposed to family members working together at a firm. I have been delighted over the years to work with successful, well-functioning firms which include spouses, siblings, children, in-laws, and even grandchildren. While the success may have been sheer luck, more of the time it was achieved through a thoughtful process which looked to avoid possible landmines. Like anything else, it's about how you approach and execute plans that determines success. Simply recognizing possible landmines and keeping lines of communication open, and taking appropriate precautions, can ensure safe travels.

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