



IN BRIEF

MALPRACTICE AVOIDANCE NEWSLETTER FOR OREGON LAWYERS

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WHY ASSOCIATES LEAVE

An estimated 25 percent of all associates in large firms leave each year. Here are some of the reasons why:

- 1. Hours.** In 1980, major firms wanted associates to bill 1,500 hours per year. These days, twelve-hour days, six or seven days a week, has become the norm in many big cities. The worst part? Few firms actually require this many hours, but associates think the partners will like them better if they work that hard. Of course, the associates can stand the heat for only so long.
- 2. Unpredictability.** An associate tried all day to get in touch with a partner to see if he would need her to work that night. The associate hoped to go home “early” (8 p.m.) to celebrate her wedding anniversary. She called the partner, sent him e-mail, sent him faxes, lingered outside his door. He never responded, so she went home. At 11 p.m., he called her at home, demanding she come back in to draft a document. (She later left the firm to become in-house counsel. When the partner made a pitch for her company’s business, she laughed in his face.)
- 3. Money.** Associates complain of not receiving the same pay rate as associates in competing firms, although they work just as hard and do the same kind of work.
- 4. Feedback.** Nothing causes insecurity like a lack of feedback. Insecure associates think you are going to fire them, even though they bill tons of hours. Preemptive strike: They leave.
- 5. Partnership.** Associates want to know what their chances are, and they can not assess their chances without feedback. What are the firm’s criteria? What are the benefits of partnership? Is it just earning more money for working even longer hours?
- 6. Thank you.** Everyone needs to be acknowledged. Every once in awhile, say something like “I really appreciate the quick turnaround” or “You represented the firm well on that deposition” or “You’ve been working hard—take the entire weekend off.”
- 7. Mentoring/training.** Law is still a profession taught through apprenticeships, and associates are really apprentices. Just because they are paid huge salaries that make you crazy every time you think about it does not mean associates know how to do what you need them to do. They can’t read minds. Reach out to those who need guidance – and even to those who don’t appear to. For example, help associates set professional goals. “This year you should depose more experts. You need to operate like a scalpel with them, not a blunt instrument. You’ll get it with practice.” “You’re ready to handle this closing by yourself; I’ll be available by phone if you need me.”
- 8. Rainmaking.** Want your associates to be rainmakers? Train them. Expecting them to bring in clients without guiding them is like giving a teenager a motorcycle with no manual or hands-on training. Include associates in rainmaking sessions so they can get the hang of it. Encourage them to practice rainmaking skills on people they know. Praise them when they bring in business, even if the firm can’t accept it because of conflicts of interest or because of the scope or nature of the matter.
- 9. Isolation.** Associates (and some partners)

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complain that whole days can go by without speaking to a client, a partner, even another associate. Empty corridors, closed doors, long hours, looming deadlines, the surreal quality of a high-rise at 2 a.m. for the third night in a row, can be demoralizing. People who are isolated and lonely fail to thrive. A friend once suggested that every new law firm employee be given a kitten. Sort of a crazy suggestion, but then again, maybe not.

- 10. Abuse.** You might not believe the stories about partners who scream, throw objects, or ignore associates for days because of some perceived misstep. I believe them, because I find new jobs for the associates who get tired of the abuse.

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