

The 9 Most Important Characteristics of the Best Law Firm Training

By Harrison Barnes from Los Angeles Office

I spoke recently with a very bright and talented young woman, a recent graduate of a good law school who was offered employment offers from three of the country's leading law firms. To my surprise, she said that a major factor for her choice among the competing offers she had received was the quality of the professional development programs at the firm she was considering.

"After all," she noted, "I probably won't stay at my first firm for my whole career, and I'm interested in joining the firm that will prepare me for the future--whatever I decide to do."

That conversation, I think, reflects a very significant but largely unheralded change in thinking among lawyers and law firms about the importance and quality of law firm training programs.

Historically, for most American law firms, professional development meant training in substantive legal skills directed at new lawyers. Training was viewed principally as a form of quality control, a necessary process to make associates effective and to guard against malpractice.

While some firms did see the possibility that effective training programs could provide a tactical advantage in recruiting, most were prepared to invest significant resources in a comprehensive training effort. Except for some litigation skills training programs were fairly ad hoc and aimed only at associates. Professional development for partners was rare, since their competence in substantive legal skills was presumed.

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Over the past five to 10 years, however, [the views of an increasing number of law firms toward professional development have changed dramatically](#)--a change driven by a number of factors.

First, the sheer growth of law firms has undermined the effectiveness of ad hoc programs as that growth, coupled with increased turnover rates among both associates and partners, has increased the likelihood of some lawyers "falling through the cracks" when it comes to professional development. Systems based on "on-the-job training" and informal mentoring might have worked well for a single-office firm of 50 lawyers but work considerably less well for a multi-office firm of 400.

A second factor has been the growing segmentation of the legal market that has increased demand for legal specialization, reduced client loyalty, and placed an ever higher premium on client development and client service skills.

Moreover, clients are no longer willing to cover the costs of a firm's professional development program by having less experienced lawyers tag along to depositions or trials or negotiating sessions at the client's expense. Most clients now see professional training as the responsibility of the law firms themselves, and are not willing to tolerate inexperienced lawyers learning the ropes at their expense.

And third, law firms find themselves today in a growing competitive environment in which they compete with each other as fiercely for talent as they do for clients.

As with my friend, young lawyers today no longer see a decision to join a firm as a permanent commitment, and are increasingly inclined to choose firms on the basis of the professional development opportunities they offer.

Fortunately, many major law firms have gotten the message and increasingly see professional development as a strategic advantage over their competitors. The new emerging value proposition is that a successful professional development program:

- *enhances the quality of a firm's work by ensuring uniform standards of professional care;*
- *enhances the quality of the firm as an organization by improving the quality of its client development and service delivery capabilities and by strengthening a common set of cultural norms; and*
- *enhances the quality of a firm's lawyers (both associates and partners) by improving their effectiveness as team members, supervisors and mentors.*

Firms are also coming to realize that professional development is a key ingredient in motivating lawyers at all stages of their careers and, needless to say, a fully motivated workforce is a huge competitive advantage in any business.

To achieve such motivational effect, there is also a clear trend toward integrating formal training with on-the-job learning. Indeed, this trend signals an implicit new "training contract" between associates and their firms.

Reflecting this new attitude toward lawyer training, many firms in the United States--following earlier examples of firms in the U.K. and Australia--have now begun to invest heavily in professional development programs and initiatives. Indeed, it is estimated that, this year alone, U.S. based firms will spend almost a billion dollars on such efforts. While the structure and quality of programs in firms vary widely, many represent significant investments of resources, sometimes in partnership with outside educational institutions. For example:

- [Baker & McKenzie](#) put several hundred of its partners through a leadership development course at the Kellogg Institute at Northwestern University.
- [Wilmer Cutler Pickering Hale and Dorr](#) is designing a program in collaboration with the Harvard Business School to address the professional and personal needs of lawyers at various transition points in their careers.
- [Alston & Bird](#) has instituted an impressive firm-wide development philosophy that includes administrative support training and encourages mentoring at all levels of the firm.
- [Reed Smith](#) has created an elaborate program dubbed the "Reed Smith University" to provide professional development courses in five areas--legal skills, leadership, technology, business development and professional support--teaming up with the Wharton School at the University of Pennsylvania for the leadership segment.
- [King & Spalding](#) operates the "King & Spalding University" that includes a focus on training for transition from associate to partner, a "senior associate academy."

The Characteristics of Success

Of course, every successful professional development program must fit the culture and strategy of the firm for which it was designed. Accordingly, it is difficult to create a definitive list of "best practices" that will work in all firms.

That said, the most successful programs around the country do appear to have a number of basic characteristics that may serve as guideposts for firms in the process of re-thinking their own professional development efforts.

First, almost all successful programs are strategically oriented and designed to achieve the firm's basic business objectives.

a firm has a substantial complex, multi-party litigation practice, it may be sensible to include a training component on teambuilding and teamwork, as such collaboration may be critical to managing the large litigations the firm handles. If a firm has a large commercial "deal practice," training components focused on negotiating skills may be appropriate. Conversely, development skills appropriate for firms with large institutional clients may be less applicable to practices dependent on the personal representations of individuals.

In other words, the program's design must reflect the reality of a firm's particular practices as well as the firm's strategy for growing its business in the future.

Second, a successful professional development program must be strongly supported and driven by the leadership. While the components of a training program must, to a large extent, be designed "from the bottom up," the initiative for the program must originate with the firm's top management.

Law firms are not traditional hierarchical business structures. For new initiatives to take hold and succeed they must be embraced and unrelentingly pushed by the firm's management. Otherwise, in most firms, they simply will not succeed.

Third, as an extension of the second point described above, firms with successful training programs take steps to ensure that lawyers are not disincentivized from participating in the programs either as students or as faculty members.

For example, a firm's commitment to stated billable hours goals or elements of its compensation system should not be designed to create roadblocks to active participation in professional development programs by all of its lawyers. This is one example of an area where backing by a firm's top management is critical.

Fourth, successful professional development programs are targeted at all of the lawyers (and, in some cases, at non-lawyer professionals) in the firm.

At the heart of the new evolving value proposition for professional development is the strong concept that learning and development are life-long processes. To be sure, the skill sets required of a senior partner will be different from those of a junior partner or senior associate or new associate, but they are skill sets nonetheless, and it is important that the firm provide the necessary training and support.

The old assumption that lawyers somehow achieve full maturity and competence the moment they become partners is not consistent with well-established principles of human development and was rejected long ago with the creation of CLE in most states. As firms re-think their own professional development programs, they are coming to realize that training programs must be available to lawyers at all stages of their careers.

Fifth, building on the prior point, **most successful lawyer** training programs are designed to deliver appropriate learning and training at different stages of a lawyer's career.

A new associate may require basic writing or time management or team working skills, while a more senior associate may need to develop supervisory or advanced communications skills. A new partner may benefit from training in advanced supervisory and feedback skills, as well as from basic leadership and client relationship management skills. A more senior partner may need instruction in advanced leadership techniques, strategic thinking, change management, and the like.

Successful professional development programs are increasingly designed to make sure that lawyers get the training they need at the times they need it.

Sixth, as reflected above, successful professional development programs cover "soft skills" as well as technical skills.

As law firms have become larger and more complex businesses, they have come to realize that providing technical training alone is not enough to equip their lawyers for the challenges of building and sustaining their enterprises. Like other large businesses, they have increasingly modified their training programs to include such topics as leadership, communication, and team building.

development, client relationship management, supervision, teamwork, communications, and the like. While a few such topics would have been dismissed out of hand as inappropriate, today they are mainstays of successful law professional development programs.

Seventh, many [successful lawyer](#) training programs now make a conscious effort to link formal training with on-the-job learning through coordination of assignments, mentoring, and otherwise. Many firms today are developing overall frameworks that articulate with some specificity the skill sets that lawyers in various specialties are expected to have at various stages of their careers. (Indeed, in a few firms, advancement of lawyers through associate and even partnership is contingent on a demonstration of successful competency in the established skill sets.)

Once such learning frameworks are established, the firms use a blend of formal training and on-the-job training to meet the requirements. For example, a litigation associate may receive formal training in how to take a deposition and then be assigned a specific deposition assignment in which to test his or her newly acquired skills.

Obviously, this approach requires close coordination between a firm's professional development and its lawyer's business functions.

Eighth, most successful lawyer training programs today are pedagogically smart, incorporating highly interactive methods.

These programs have largely abolished the "talking head" lecture in which a senior partner drones on about the intricacies of negotiating a contract. Instead, young lawyers are organized into teams and given negotiation assignments using realistic case studies that are worked through in a "moot court" style approach, with negotiating sessions sometimes even videotaped for further critique.

We know from adult learning theory that adults learn best by doing, not by listening, and successful training programs incorporate this principle.

And ninth, most firms with successful lawyer development programs have on staff full-time professionals devoted to making their programs a success.

As with other areas of critical competitive importance, these firms are investing the resources required to hire quality staff and avoid simply relying on the part-time attention of a few partners to plan and implement their professional development strategies. Many of these senior staff members are specialists in adult education, some being hired out of executive education programs at well-known colleges and universities.

The presence of these specialists is helping to transform both the design and pedagogic style of the professional development programs in a number of firms.

In short, many large law firms today are in the process of quietly transforming their former legal skills training efforts into large-scale professional development programs designed to serve the developmental and personal needs of their lawyers throughout their careers. The firms that get this right will enjoy a tremendous competitive advantage in attracting and retaining top professional talent. They will also, in all likelihood, experience a significant enhancement of the quality and cost-effectiveness of the services they provide to their clients.

My young friend would be well advised to cast her lot with a firm that is in the forefront of this particular revolution.