



ATTORNEY SEARCH

Guide to Law Firm Associate Hiring, Training, and Promotion

NOW HIRING



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Summary

This in-depth guide shows you how to bring new associates into your firm and covers the hiring, training and promotion of these new additions.

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Hiring New Associates

Determining Need

A firm may decide to hire associates to relieve others who are overworked, to seek additional expertise or to improve leveraging when choosing partners. Whatever the basis for the decision, the firm is ready to embark on one of its most challenging and significant processes. The quality of hiring determines the quality of the firm over time and, to a great extent, the shape of its future.

Recruiting committees are formed in most law firms. Many hours and dollars are spent interviewing students on law school campuses. In addition, there are professional "headhunters" who, for a fee, are willing to help locate and place lawyers with various backgrounds and levels of experience. Whatever techniques are employed, recruiting lawyers usually requires considerable time, energy and expense.

After diligent effort, however, both the newly hired associate and the law firm partnership may be disappointed. This may have little to

do with the lawyer's professional capabilities or intelligence. In fact, the conflicts that develop often originate in unclear hiring practices, unclear expectations and a poor match of personalities and temperament. Such a mismatch can occur if the new associate is placed in a practice area that is ill-suited to him or her, or has other issues with their particular personality traits or the work style of the firm in general.

Since new associates are costly, practicing the fundamentals for successful hiring is very important. Thoughtful consideration and discussion within the firm of the following self-assessment questions can help improve the success of the recruiting and hiring process, whether the firm is hiring its first associate, considering lateral candidates or recruiting its annual group of law students for a summer clerk or intern program. Recruiters should be able to answer the following questions and communicate much of this information to prospective associates.

- What are the law firm's needs in terms of work to be done?
- Is specialization required?

- Will the new associate be expected to generate his or her own clients or will he/she be picking up an established case load?
- What types of clients will the lawyer and firm serve?
- How much client contact is expected? Is the client contact most often by letter, by phone or in social situations?
- What kinds of social skills are required?
- Is there a structured mentoring program or will the new associates be expected to find their own way and seek answers to their questions?
- What kinds of interpersonal skills are needed to succeed within the firm? What personal values must an attorney reflect in order to get along with others in the firm? How long are the hours?
- What are the work styles within the firm or within the practice area to which the lawyer will be assigned or rotated?
- How much trial work is involved? Will the lawyer need to be comfortable in the aggressive give and take of competition, to think quickly, and be persuasive?
- Will the lawyer need to be meticulous, highly incisive, careful and comfortable with planning and drafting tasks?
- What are the financial resources available? How quickly must the new lawyer become profitable to the firm? How much experience is needed to meet these objectives?

To make a successful hire, the firm must know

what it needs financially and professionally. In

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order to match a lawyer to a particular position or area within the practice, the employer must analyze the skills required to perform the job and the psychological attributes the prospective associate should exhibit to perform those tasks and to work harmoniously with other members of the law office.

Selecting Recruiters

Firms have different criteria for selecting and appointing recruiters to seek candidates and to conduct the preliminary screening of applicants. The recruiter may be any of the following or the recruiting tasks may be assigned to a group composed of such individuals as: an administrative person who may have professional training or experience in interviewing, makes a good impression, knows the firm well and is articulate; a junior partner or senior associate who is considered to be close to the experience of law students and able to empathize with them in their transition between law school and a professional job; or a senior partner who enjoys the task, is willing to make time for it, has experience recruiting and is able to reflect the status and needs of the firm clearly.

General Guideline for Recruiting

Since recruiting and hiring attorneys is difficult and very expensive, the firm should select recruiters carefully and train them to

sharpen their skills in interviewing, observing and assessing behavior. Recruiters should be especially

able to articulate the goals, shared values and

special characteristics of the employer. They also should know the needs and expectations of the firm in order to conduct numerous interviews and make several decisions quickly concerning the best long-term and short-term interests of the firm.

“Ask questions that evoke stories of previous accomplishments and personal history.”

Prior to conducting interviews, develop a set of general interview questions and agree upon the qualities and characteristics being sought among applicants to ensure you obtain a thorough picture of candidates and are able to compare candidates objectively. As the recruiting process continues, it can become politically sensitive, tedious and exhausting. Establishing general interviewing procedures and criteria early in the recruiting process will help keep the overall process consistent. During the interviews, recruiters should remember to focus on:

How candidates behave during the interview process and how they react to the recruiter:

The temptation often is for the recruiter to try to make a good impression on the candidate and sell the firm instead of staying focused on the applicant. This is particularly true when interviewing a candidate who appears "right" because of his law school record, the reputation of his law school or the desirability to the firm of the candidate's area of special interest.

Evidence of interest, performance and initiative on the part of the candidates beyond their academic records:

Ask questions that evoke stories of previous accomplishments and personal history.

Consider using an informal "case analysis test." Present a prospective associate with case facts and ask the student to assess the legal issues and determine

how to approach the case. This situation demonstrates how a person thinks and what resources would be used.

Opinions of others who can evaluate the prospective associate:

- Contact some references. Consult former employers by phone since they will be more likely to disclose useful information over the phone than in writing. Ask about interpersonal skills as well as technical abilities. When the applicant visits the firm, do not ignore feedback from anyone in the firm who had an opportunity to interact or observe the prospective associate, including support staff. Talk to professors and sometimes to fellow students.
- Communicate to the applicant specific information about the quantity and quality of work expected, the degree of visibility required, and the social skills expected.

If the firm does not convey these expectations, the associate will enter into a vague work agreement that may not be successful for either the firm or the lawyer.

Listen attentively and encourage applicants to talk. Recruiters are likely to be articulate talkers who need to practice listening skills.

Comments by Interviewees

Conversations with young lawyers reveal a number of behaviors they did not like in pre-employment interviews they experienced. Their comments form the basis for a checklist of suggestions for conducting recruitment interviews:

- Put the interviewee at ease. Be friendly, relaxed and easy to talk with. Interviewees comment negatively about interviewers who are snobbish, insulting, too stiff or bored.
- Get organized; stay in charge of the interview.
- Ask pertinent questions.
- Don't interrogate or cross-examine. Lead.
- Show an interest in the individual. The firm will be judged by how the interviewer projects the friendliness and the atmosphere of the work environment. Being nice and personable is very important.
- Demonstrate pride and enthusiasm for the firm without monopolizing interview time in a sales pitch.
- Be sure the firm resume provides a complete picture of the firm.
- Don't get stuck on grades. Try to assess skills required to perform the job and the psychological attributes the prospective associate should exhibit to perform those tasks and to work harmoniously with other lawyers.

2

Paying Associates

A drastic increase in the number of new attorneys in the United States may have a

greater long-range effect on novice lawyer compensation than the initiatives of American law schools that have been spewing out new lawyers in much greater numbers than retirements from the profession, and this has been going on for years. For a time, the increasing reliance of our society on legal services enabled this growing number of lawyers to be usefully employed within the profession. Now, the saturation point is near, competition for clients has never been greater, and pressures on novice lawyer compensation from this source counteract the increased salaries initiated from New York.

Is that a contradiction? Not at all. The Wall Street type of firms and those that aspire to such status are competing for a very small part of the 45,000 or so novice lawyers of the year. They want to obtain the services of top students from top schools, a draft with perhaps 2,000 or 3,000 names. Every one of these scholars will have a choice of where to begin a career. These novice lawyers can select among private practice, corporate law departments and governmental assignments; among employers, areas of law and locations.

For the more than 30,000 other new graduates who complete their school work each year, choices may be more restricted. Top students from local schools will be able to pick from several offers. Employers of new lawyers will always be impressed by academic achievement and will spend an extra dollar to hire the best. Other students who may still be very capable, and who will undoubtedly make good lawyers, may be lucky to land a job in which they may acquire the practice skills that are not taught in law schools. Salaries offered this large group from as little as \$50,000 in a

very small firm or a not-for-profit legal service group to more than \$160,000 in leading firms.

There is today an almost universal practice of paying associates a basic salary. The exception is in some patent law firms where associates are paid only a proportion of the fees they earn. This practice was at one time prevalent in many other types of firms as well.

Progressions above hiring salary are generally at the rate of \$3,000 to \$15,000 per year for the first several years.

There are two general approaches to the payment of bonuses in addition to salaries: the associate receives a proportion of fees collected from his or her own clients, or the associate is paid a discretionary bonus depending on the profitability of the firm and the quantity and volume of the associate's work.

Of the two approaches, the second is the sounder alternative.

Basic salary plans, with or without discretionary bonuses, are by far the most popular compensation arrangements for associate lawyers in private firms. Associate lawyers are treated and compensated as employees. Incentive pay arrangements are most common in small firms, and are in few of the larger ones.

A discretionary bonus arrangement has the advantage of providing the employer some control over labor cost in the current year, and also of enabling outstanding performance to be promptly recognized. In many firms, however, even the discretionary plans are

administered in such a way as to be relatively inflexible.

The division of fee method of compensating associates is divisive. It teaches the young associate that he must work for himself to accomplish something within the firm rather than to work for the common good. If the employer's purpose in engaging an associate's services is to get the firm's work done, as is most often the case, the practice of splitting fees from the associate's clients is a disincentive to getting the firm's work done. The result may well be that the firm's important clients languish while the associate busily pursues the minor legal problems of his low-paying friends.

The fee splitting system is often justified by the explanation that an associate must be encouraged to bring in new clients or to obtain legal business. The statement is true, but it does not justify fee splitting. The greatest incentive for an associate is usually to become a full-fledged partner of the firm. The firm should make it plain to each of its associates that the ability to bring in good work is an important consideration in the admission of partners. This will generally suffice to encourage associates to bring in business. There may, of course, be situations in which an associate can bring in an unusually attractive matter, such as a relative's probate estate. When this happens, there is nothing to prevent the employer from considering that fee in the allocation of discretionary bonuses.

Some firms pay associates as much as one-half of the fee for the work they bring in. The firms which pursue this course generally

lose money on each of an associate's clients. When fees are low, the combined salary and related expenses of an associate generally exceed one-half of the fee.

Some type of bonus is, of course, often a wise course. Associates must learn early that they are part of a team and that the results of the team's efforts are shared among all of its members. A flexible bonus which takes into consideration the year's profits generally and the individual contribution of each associate is a means for reinforcing team spirit. In evaluating an associate's contribution, the firm should consider not only the business that the associate obtains, which may be quite unimportant, but also the associate's progress, diligence, ability, perseverance and billable hours.

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Training Associates

Orientation

Employers have an enormous stake in the transition from law school to law practice. If personnel costs are the firm's largest expense and people are its most important assets, it is good business to make every effort to protect such valuable assets. Too often new associates are brought into a firm only to be shuffled through a quick administrative "sign in," then left high and dry at their desks to fend for themselves as work assignments begin to arrive. Instead of orientation, the associates begin a disorientation process.

New associates begin learning about and forming attitudes toward the firm starting with the first interviews. From the first day of

employment, for better or worse, orientation begins. It makes good sense for the firm to realize this and to proceed to direct the process deliberately and competently from the beginning.

Pre-Arrival

Whether the offer has been extended by phone or face to face, a letter should be sent immediately confirming all elements of the employment arrangement, including: any guarantees or special assignments that have been promised during the recruiting "courtship" period; initial salary and benefits—medical and life insurance and retirement; policies on moving expenses, expenses relating to bar admission, and vacation time; timing of initial salary review and the length of time before consideration for partnership, if this is formalized; starting date; and name, address and telephone number of the person to contact with any questions during the pre-employment period.

In addition to the initial letter of confirmation, any firm contact makes a strong, positive impression, making the associate feel welcomed and prepared. Additional correspondence might include: any information on the city or the area, including maps, transportation, cultural affairs, community information and activities, lists of realtors or housing information; welcoming letters from lawyers in the firm, particularly from fellow law school alumni, the recruiting attorneys, likely supervisor or team leader, or in a small firm, the managing partner; and any manuals for attorneys and any reading lists or materials that may help the associate feel more prepared to join the firm.

These suggestions will prove beneficial to the firm by solidifying the associate's initial impression and aiding the transition. Once the internal systems are established to initiate orientation procedures, the process is comparatively simple to operate. Administrative support staff can coordinate the pre-arrival orientation after the system, checklists and forms are prepared. Either a member of the hiring committee, the firm administrator or a partner should have responsibility for the operation and the assignment to attorneys or writing welcoming letters to the new associates.

Day One

The new associate's first day sets the tone for the relationship, so it should begin as pleasantly and productively as possible. The focus should be on welcoming the associates and helping them feel at home. New attorneys should be introduced to fellow lawyers and to the support staff with whom they will work. A partner or the firm administrator should arrange to meet new associates upon arrival. The first day will include the administrative chores, such as filling out appropriate personnel forms and learning about the computer system, payroll system, the telephone system, the billing system, the security system, parking, the copiers, the facsimile machines and the kitchen. The schedule also should include a series of brief meetings with senior support personnel who provide services the attorney will need to learn to use. This list may include the librarian, the comptroller and the legal assistant supervisor. The series of meetings is intended to familiarize the new associates with how the firm operates and whom to contact for

subsequent inquiries. A tour of the entire office should be part of the package.

A day after the tour of administrative services, new attorneys should be scheduled to meet with an established attorney or an appropriate manager to learn in some detail how the associates should record time. Then they meet with an attorney to learn what the firm expects of new attorneys in terms of time commitments, meetings, luncheons, and training sessions and in terms of quality of work, productivity and specifics about any system of rotation. By the end of the second day, new associates should be introduced to their initial supervisors and work teams, including secretaries, legal assistants and other attorneys.

It is important that the associate's first day should not include specific work assignments mixed into the welcoming. It is equally important that the associate not begin work immediately with the idea that orientation will follow in a few days. Once the attorney begins working, the orientation will not be likely, and it is good business to simply take the time to get acquainted. A new lawyer will not be welcomed in such a manner ever again, and there are many benefits to the firm in taking time to speed the assimilation process, establish important working relationships in a pleasant, supportive manner and reduce the incidence of avoidable mistakes by a newcomer who doesn't know their way around.

In addition to the functional and administrative orientation and the opportunity to meet and be recognized by new professional colleagues, there are a number of things the employer can do to welcome the new attorney. For example:

- If office space has to be cleared for the new attorney, be sure that it has been completely cleared, cleaned and readied for use prior to the new lawyer's arrival.
- If keys are needed for washrooms, outer doors, desks, etc., be sure that all keys have been ordered and are ready.
- Have firm credit cards, business cards, the associate's nameplate for the office door, computer passwords and the associate's voice mail address waiting on the desk.
- Be sure that the new attorney is invited to lunch the first day and that invitations to any events the firm sponsors or participates in are extended to the new associate.

New Lawyer Orientation

The orientation of a new lawyer turns into a training process as the associate is taught about client relations, firm management, various kinds of work assignments, research techniques, computer usage, professional responsibilities and obligations, proper delegation, time management, dictation skills, writing techniques and client development strategies. These necessary skills cannot reasonably be taught within the first few weeks of employment or even within the first few months. In other words, orientation leads into training, and every firm needs to consider associate training needs. Lack of training and lack of feedback on their work are the two greatest causes of associates' unhappiness.

Associate Training Programs

Partners do not have time to take on all associate training, nor should their time be

spent covering for associate errors made in ignorance. Structured training programs are a key to associate productivity and can contribute to professional satisfaction as well.

The three major areas of associate training needs are:

- Human resources issues, such as planning, personal organization, client relations and the productive supervision of others;
- Marketing skills and responsibilities, including personal selling skills, cross-selling, productive networking and presentation skills; and
- Technical skills and substantive information related to the practice of law.

Each of the broad areas outlines professional development training that can benefit the firm on a short-term as well as long-term basis. Currently, if training is conducted in a firm, the most likely curriculum is the third area—the technical skills and substantive information related to the practice area—and this obvious focus is reinforced by continuing education requirements. In fact, the successful lawyer needs skill and expertise to some degree in each of these major areas.

All orientation and training within a firm is directed toward the goal of developing competent, productive lawyers as quickly as possible. It can require a major investment. Some firms attempt to avoid the issue by hiring only experienced lawyers. However, as firms seek greater productivity by using billable hours standards and by increasing the hours required under those standards, the need for training is heightened, even as the

time for formal and informal training becomes more precious.

The conflict between the need for training and the time for training can be resolved only by clear, long-term planning. Firms that develop and support extensive training programs for attorneys base their decisions on a clearly articulated philosophy that relates training to productivity and profitability. Firms that have made substantial commitments to training tend to be highly competitive and goal-oriented. As expectations of both clients and law firms increase, prospective associates as well as new lawyers understand they need every advantage they can acquire. A strong, systematic training program provides a competitive edge. Some firms use their excellent training programs as a recruiting tool.

Another benefit of a systematic training program for attorneys is in the use of training as a vehicle for change and/or for reinforcement of the firm's culture, style or philosophy, particularly during periods of rapid growth and acquisitions or mergers with other firms. Times of change require planned efforts to reinforce and solidify the shared values and ideals that shape the firm. Even desirable changes in a firm's size, practice or direction place new demands on lawyers and can threaten stability. Training, therefore, can be both a product and an agent of change. Because training programs within a firm expose a number of lawyers to the same or similar experiences, they help merge a lawyer's individual talents and expertise with firm goals. Maintaining a blend of individual and firm goals and talents is a major challenge in managing a firm, and effective training is a powerful management tool. It also fosters camaraderie.

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Associate Performance Evaluation

A formal performance evaluation procedure is necessary even in the smallest firms and is an absolute necessity in larger aggregations of lawyers. The evaluation system serves two sets of goals for the firm: evaluation goals and associate development goals. These goals are:

EVALUATION GOALS

- To provide feedback to the associates so they will understand their levels of performance and their relative position in the firm.
- To develop valid data for salary and bonus decisions and to formally communicate these decisions to the associates.
- To accumulate information for making decisions about retaining associates. The associate evaluation process alerts the firm to unsatisfactory performance and provides a means of warning associates.
- To develop information about the progression of associates toward partnership for individual and firm planning purposes.

ASSOCIATE DEVELOPMENT GOALS

- To counsel and coach associates to improve their performance and develop future potential.
- To reinforce commitment to the firm through discussion of opportunities for success within the firm.

- To motivate associates to greater productivity through recognition and support.
- To strengthen the professional relationships between partners and associates to reinforce mentoring and role modeling.
- To diagnose an individual associate's problems.
- To assess needs for training and/or for assignments to provide varied experiences within the practice area.

Just as the associate performance evaluation or review serves two sets of goals for the firm, it serves two sets of goals for the associate. These goals are:

EVALUATION GOALS

- To learn how the firm values them as individuals and to learn how they are progressing in their careers in the firm.
- To learn how their value within the firm is translated into salary and bonus rewards.
- To have their sense of self reinforced by positive feedback that is consistent with their self-image.

DEVELOPMENTAL GOALS

- To receive feedback about their performance that will help them become better, more productive attorneys.
- To progress along their chosen career paths within the firm, receiving the assignments, cases or supervisory situations that will position them for greater success within the firm.

The important thing to notice about the series of goals listed above is that many of them are in conflict. It is this conflict, built into performance evaluations and appraisal interviews, that makes the process so difficult for all concerned, particularly if there is the slightest problem to discuss. The reviewer is thrust simultaneously into two potentially conflicting roles: evaluator/judge and helper/counselor. The associates being evaluated are caught between wanting feedback on their performance to learn how they are progressing in their careers and wanting only feedback that will reinforce their positive concepts of themselves and yield greater financial rewards, recognition and career advancement. To the degree that salary and bonuses are tied to the performance evaluation, the associates will be anxious to receive a favorable review and to avoid unfavorable feedback. Associates may want to gloss over, rationalize, or deny performance problems altogether. Partners may be ambivalent in their comments, not wanting to create conflict. It is no wonder that appraisal interviews can easily become exercises in avoidance and defensiveness.

The potential solutions to the conflicts inherent in the performance evaluation process lie in three areas: the appraisal system of forms and procedures, which requires objective, fair and consistent administration and the conscientious attention of the partners; the associate-reviewer relationship, which mirrors the trust and communication between the partners and associates; and the actual appraisal interview process itself, through which the conflicts inherent in the situation will be dramatized or solved by the guidance of the reviewer and the response of the associate.

In many firms, the evaluation process is given the least amount of time required to deliver the judgment in whatever fashion the reviewer can manage. Consequently, associates most often do not know where they rate in the firm, and they are unhappy with the feedback they receive formally as well as informally. The following guidelines can help structure an appraisal interview that is likely to increase constructive associate participation, satisfaction with the interview and realistic acceptance of the evaluation.

It is assumed that the goal of the appraisal interview is to improve associate performance and motivation as well as to leave the associate with a clear understanding of what is expected of him or her and what is his or her position relative to performance expectations and progression toward partnership.

GUIDELINES FOR THE APPRAISAL INTERVIEW

KEY STEPS:

TIMING

Schedule the interview to allow sufficient time for preparation by the associate as well as by the evaluating partner. Choose a time during which interruptions can be avoided. Even among associates who might not say the performance appraisal is valuable, the interview is, nonetheless, a very important time in the career of each associate. The process is worthy of thoughtful attention, skillful management and interpersonal sensitivity.

PREVIEW

Give the associate an overview of the interview, including the content and process. This allows the associate to prepare for the discussion and to complete any self-evaluation or goal-setting requirements.

PLACE

Find neutral turf or use the associate's office. The more comfortable the associate, the more open the communication and the more likely that the interview will be productive. Relax. Arrange seating in a casual manner to avoid the image of a judge presiding in court. The reviewer should present himself or herself as a helpful counselor, not as an intimidating authority figure. Do not conduct the interview over lunch, driving in a car or in a social situation of any kind.

BEGINNING THE INTERVIEW

Review the objectives of the interview and the process upon which you previously agreed. This assures the associates that there are no surprises and it sets the stage for the substantive portions of the interview. Get the associates to talk. Ask them what is going well for them and what requires more effort than they anticipated. Ask them to appraise their own performance. The interviewing partner should not do most of the talking, especially at the beginning. If the partner begins dominating the conversation, it will be very difficult for the associate to talk.

KEEPING IT GOING

Play fair. Follow accepted guidelines for active

listening and for getting and giving feedback. Make an effort to keep the interview a discussion. The appraisal process is more likely to be useful when the associate reasons his or her way through the situation, and a good discussion stimulates that kind of thinking. Through discussion, an associate will gain a much stronger conviction about his/ her shortcomings and goals for improvement than a reviewer could ever impose by lecturing.

SUMMARIZE

Give the associate a summary of his/her major area for improvement based on the discussion just completed. The summary is the base for goal-setting and jointly developed plans for performance improvement. Be cautious about quoting what partners write on the evaluation forms. It is the responsibility of the individual charged with the interview to deliver information in a constructive manner and to determine what information is necessary to guide the associate's development. A barrage of negative comments is likely to lead to defensiveness that will neither improve associate performance nor serve the firm's goals.

DEVELOP THE PLAN

The interview is intended to capture information about past performance and also to lead to the future. Setting concrete goals will help keep performance finely tuned to firm and individual growth needs. Even seasoned associates need support for growth goals, and this interview may be the only time all year that they have an opportunity to talk about themselves as developing professionals and

to establish individual goals.

CLOSING

The discussion should end with some communication to the associate about what the future holds for him/her in the firm.

CHECKLIST FOR REVIEWERS: ASSESSING INTERVIEW EFFECTIVENESS

AT THE BEGINNING

- Did you create an open and accepting climate?
- Did the associate understand the process for the interview?
- Were both you and the associate well prepared for the interview?

DURING THE INTERVIEW

- To what extent did you try to understand the associate?
- Did you use broad, general questions at the beginning to encourage discussion?
- Was your feedback to the associate clear and specific?
- Did you gain any understanding about the associate, his or her values, professional commitment or career goals?
- Did the associate disagree or confront you?
- Did the interview end with mutual agreement and understanding about problems and goals for improvement?

OUTCOMES

- Do you believe the appraisal interview strengthened your professional relationship with the associate?
- Did the associate come out of the interview with a clear idea of how and where he or she fits into the firm?
- Did you come out of the interview with a clearer, fairer assessment of the associate?
- Did you learn something new about the associate?
- Did the associate learn something new about you, the law firm, the practice of law and the pressures that exist in the organization?
- Do you believe that the associate is motivated to pursue the goals for improvement established during the interview?

5

Advancement to Partnership—What Does It Take?

One of the most frequent complaints from senior associates is that they have done what they considered to be good work—they have received good evaluations on the quality of their work—but they are still not sure that they will "make partner." They really do not know whether what they have done has fulfilled what the partners were looking for in future firm members.

Typical of this situation is the firm that has traditionally had plenty of work. When

associates were hired they were told "just do the work as quickly as you can," and they did exactly that, only to find that, as they approached the fifth to seventh year as associates, their chances for ownership were limited by the fact that they did not have a client base of their own. Such associates rightly feel that the rules of the game changed midstream.

It is important that the management of a firm convey to the associates not only what is expected of them in the short term, but also what will be required of them to become members of the firm. Even a firm with serious needs to have work handled for existing clients must tell associate lawyers that in order to become a partner they must have some client base to bring to the firm when they join it as an owner, if this is the case.

Some firms put a high value on the symbolic and/or needed contribution of capital at the time of admission to ownership status. If this kind of financial commitment is required, associates should know well in advance of being asked to join the firm and pay thousands of dollars.

Other firms will overlook the candidate's lack of a client base when the associate has a very high degree of expertise, especially when this expertise keeps existing clients with the firm. For example, if an associate has developed skills in the health care law field, and one of the firm's major clients is a large health care facility, the associate may be brought into the firm on the strength of skill alone, even though the candidate may not have brought any clients to the firm.

Other associates may have developed areas of law, introduced the use of paralegals, prepared check lists, etc., and developed a very cost-effective profit center for the firm. This may be a positive consideration in the owners' minds when evaluating an associate for an ownership position. If this kind of development would be a positive contribution, the firm should tell its associates that any time they devote to this kind of financially rewarding activity will be considered a positive factor toward ownership.

Each firm must decide for itself what it requires from its future owners. These decisions should not be kept secret from the associates. The carrot at the end of the stick for every associate is future partnership admission. What it takes to grab the carrot must be communicated to them as part of their orientation, training and advancement.

Most importantly, at the end of two years and every year thereafter, each associate must be counseled in the course of an evaluation session regarding the likelihood of attaining partnership.