

ON COMPENSATION & BENEFITS[®] for Law Offices

INCLUDING RECRUITING & TRAINING

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Latest Data on Ratios and Headcounts: Is Your Law Firm Cutting Too Deep?

Last year, unfortunately, many law firms underwent some form of downsizing—or “rightsizing” as it was euphemistically called in the early 1990s—in response to perceived declines in revenues and contracting billable hours. And unless such concerns are relieved in the months ahead, firms will continue to wrestle with the cost/benefit of individual staff and less than productive lawyers.

As all managers know, billable and non-billable members of your firm carry an ongoing cost burden that exists regardless of the peaks and valleys of revenues and work. (One industry

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NALP/Yale Findings Show How Large Firms Now Woo and Retain Top Legal Talent

If the legal industry's annual rankings all ceased to exist and the economic downturn continued indefinitely, you would still need to focus on the “little things” that keep top talent happy with your law firm. Indeed, managers will attest that many firms are even now willing to pay a mint to lure talented laterals—particularly mid-level associates trained on some other firm's dime. *The point:* You must stay focused on retention as well as recruitment.

Staying competitive in terms of talent.

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This Issue Includes Your CLE Calendar

Use This Checklist to Get the Very Best Online CLE Providers

Options for online CLE abound, but how do you know if your provider fits the bill? Ida Abbott's recently released book, *Lawyers' Professional Development: The Legal Employer's Comprehensive Guide*, includes an extremely thorough checklist that managers responsible for training and CLE compliance can use to make a thorough assessment of their firms' CLE providers.

Ask providers the questions below to make a more informed purchasing decision.

1. Content.

- How many courses do you offer?
- What subjects do you cover?
 - What materials are provided in conjunction with your programs? In what format? How are they accessed?
- What is the source of your content?
- How often is your content updated? Who updates the programs?
- What programs do you produce? Who produces the others?
- For which jurisdictions do you offer credit? How many hours of content do you offer per jurisdiction? Is the content of your programs jurisdiction-specific?
- Are your programs captured and digitized or are they produced and edited specifically for online use? If they are produced, by whom?
- How long are your programs?
- How is program content presented? What appears on the screen when a user is taking your program?
- What is the quality of your online programs in terms of audio, video, and text?
- Do you ask for program evaluations? If so, how do you implement feedback?

2. CLE.

- Do you offer participatory credit, self-study credit, or both?
 - If you offer participatory credit, how do you gauge participation?
- Do you offer CLE tracking services? What information do you track?
 - Do you have CLE and/or legal experts on staff?
 - How do you issue CLE certificates? Do they include 50-minute and 60-minute calculations? Do they include partial-credit calculations?
- Do you provide additional staffing toward the end of each compliance period?

3. Customer support.

- During which hours is customer support available?
 - What kinds of reports do you provide?
 - Do you provide usage reports? If so, how often? Are reports per lawyer, per office, or firmwide?
 - Do you offer onsite training to teach attorneys how to use your services and programs?
 - Do your customer service representatives and other staff members have legal experience?
 - Are you researching online usage?
 - Would you become an aggregator?
 - What assurances do we have that you will be in the market in the next two to three years?
 - How do you promote your programs?

4. Cost.

- How do you charge customers?
 - What types of billing options do you offer (e.g., one firm bill, prepayment for courses, flat rate, volume discounts)?
 - What packages can you offer for a firm of our size?

- Do you require any guarantees or minimum/maximum hours of usage?

- Could any of the packages expose our law firm to penalties? If so, what are they?

- Does our firm have any flexibility over the life of the subscription?

5. Ease of technology.

- Do firms need in-house tech support to use your programs?

- Do users need to download anything to take an online course?

- What do programs look like over 56K modems?

- How many users can access the course through one T-1 line?

- What is the ease of log-in? What happens after a user logs in for the first time?

- Are users able to interrupt the program and pick up where they left off? Please address interruption issues in general.

- Can users move back and forth, screen to screen, or study discrete sections of a program? Please describe mobility within the program.

- Do lawyers in international offices need any additional or special technologies?

- Are there any special issues if lawyers log on outside of the office?

For more information: Besides the checklist, *Lawyers' Professional Development: The Legal Employer's Comprehensive Guide* addresses a host of issues on essential training tactics and options that should be useful for law firm managers. Contact NALP (202-835-1001; www.nalp.org/bookstore). *Cost:* \$95 for association members; \$145 for non-members.

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Informal Guidelines to Get New Mentors Up and Running Fast

The value of mentoring programs is well known to law firm managers, not only as a recruitment and retention tool, but also as a link to improved performance, productivity, enhanced client service, and greater profits. Many readers tell *CBLO* what a struggle it is to persuade harried partners to invest time in mentoring and/or to train partners who are willing but inexperienced at mentoring.

Providing partner/mentors with a blueprint for success. Now more than ever, mentoring is a dynamic tool for building collaborative relationships, says Beverly Kay, author, speaker, and CEO of Career Systems International in Scranton, Pa. It's also important to keep in mind the difference between mentoring and coaching. A mentoring relationship involves a deeper, long-term commitment to help "mentees" realize their personal and professional possibilities, whereas coaching is more specific and technical.

At a minimum, law firm mentors should be expected to help associates set goals and extend accomplishments beyond their current role. The best partner/mentors share personal experience and wisdom while acting as cheerleaders and advocates to move their charges to the next level within the firm.

In the best-case scenario, your mentoring program should:

- Attract, retain, and engage high performers.
- Upgrade technical skills and knowledge.
- Promote diversity of thought and style.
- Develop leadership talent.
- Preserve firm culture and a sense of institutional history.
- Foster inclusion.
- Contribute to the line of succession.

- Foster a collaborative environment.
- Ease the transition to new assignments.
- Strengthen competitive advantage.

Sounds great, but how can you steer partner/mentors in the right direction? Many managers favor a system where mentor/mentee relationships can develop naturally, an approach that

The mentor's job doesn't start with giving advice—it begins with listening.

works well for associates who fall into favor with a partner willing to take on the role and are suited to it. In other instances, partners assigned such roles may need training if your junior lawyers are to benefit.

A fast track to mentoring. “It’s a rare organization today that can afford to take mentors offsite for extended training.” Kaye recommends an easy self-study process or brief facilitated program that highlights the most important aspects of the mentoring process and gets mentors started right away.

The following is Kaye’s guide to implementing fast-track mentoring and encouraging new mentors to start in a comfortable manner as they assume various aspects of the role:

- **Mentor/guide:**

- Show associates different paths and warn them of potential pitfalls.
- Share strategic views of the firm.
- Help associates reflect on their attitudes, skills, and patterns of behaviors and learn whether they are a help or a hindrance.
- Ask questions that challenge associates to think, analyze, and probe for meaning.

- **Mentor/ally:**

- Provide a risk-free environment in which associates can vent frustrations, share difficulties, and seek other perspectives.

- Appraise behaviors and help associates see how others perceive them.

- Talk straight. Be neither a critic nor a judge, but a candid and honest guide.

- Provide specific feedback and impressions (favorable and unfavorable) to support associates’ personal growth.

- **Mentor/catalyst:**

- Motivate associates’ enthusiasm and initiative.
- Help associates envision their future in the firm.
- See possibilities that associates might bring to fruition.

- Encourage associates to discuss ideas, visions, and creative concepts they might be reluctant to mention elsewhere.

- **Mentor/advocate:**

- Champion the ideas and interests of associates to gain visibility and exposure for them.

- Make specific learning experiences available to the mentee.

- Get other partners to connect to your mentees and provide additional assistance.

- Bring associates’ ideas to the people in the law firm who have the authority to implement them.

Four simple steps that new and seasoned mentors can use to manage the process:

Step 1: Extend your reach. Supervisors report high job satisfaction when they can share their knowledge, experiences, and insights with others. Reaching beyond daily responsibilities and profoundly affecting the growth and development of others brings immediate rewards and long-lasting benefits to the organization, Kaye asserts.

Step 2: Listen, don’t preach. The mentor’s job doesn’t start with giving advice—it begins with listening, says Kaye. Mentors need to hear what their charges want from the process and to discover their development needs and expectations. Good mentors learn to explore the focus and understand the goals of their charges.

Step 3: Do more than teach. Today’s mentors share their own stories, encourage dialogue, debrief their mentees, and help them build network connections—all of which stimulate learning and transmit

knowledge quickly.

Step 4: Define actions for both parties. Associates also have to take responsibility for making the process work. They need specific action plans so both they and their mentors can measure their progress. A successful process will provide mentors and mentees with specifics on what to do, what to talk about, and how to take action.

Mentoring may be one of the most powerful ways to engage and retain both mentors and mentees. But much of its success depends on finding the right balance between doing too much and doing too little. Accomplish this, and your mentoring program will provide a payback for your law firm in the growth and development of internal talent.

For a list of helpful resources, see the sidebar, “Recommended Reading for Law Firm Mentors

Recommended Reading for Law Firm Mentors and Managers

Developing Legal Talent: Best Practices in Professional Development for Law Firms; Lawyer’s Guide to Mentoring; Being an Effective Mentor: 101 Practical Strategies for Success; Working With a Mentor: 50 Practical Suggestions for Success, by Ida Abbott. For purchase information, call NALP at 202-835-1001.

PowerMentoring™ is a self-study program from Career Systems International. Call 800-577-6916 or visit www.careersystemsintl.com and click on “Solutions.”

A Step-by-Step Guide to Starting an Effective Mentoring Program, by Norman H. Cohen, HR Development Press (Amherst, Mass.).

Learning Journeys: Top Management Experts Share Hard-Earned Lessons on Becoming Great Mentors and Leaders, by M. Goldsmith, B. Kaye, & K. Shelton, Ed., Davies-Black Publishers (Palo Alto, Calif.).

Beyond the Myths and Magic of Mentoring: How to Facilitate an Effective Mentoring Process, by Margo Murray, John Wiley & Sons (New York, N.Y.).

The Art of Mentoring: Lead, Follow, & Get Out of the Way, by Shirley Peddy, Bullion Books (Corpus Christi, Texas).

The Mentor’s Guide: Facilitating Effective Learning Relationships, by Lois J. Zachary, Jossey-Bass/Pfeiffer (San Francisco, Calif.).

and Managers.” For questions you can use to assess your current approach, see the sidebar, “Building a Better Mentoring Program: Seven Issues to Consider.” □

Building a Better Mentoring Program: Seven Issues to Consider

Mentoring offers many advantages, especially associate growth and retention. But since implementing and running a successful mentoring program require significant billable-hour sacrifices from associates and partner/managers, you’ll want to evaluate it regularly.

Seven questions to consider:

1. How many associates should you assign to each mentor? Anywhere from one to five; more than that could overload the mentor.

2. How often should a mentor meet face to face with each associate? One time per quarter, concluding each meeting with a discussion about the mentee’s goals for the next quarter. You can hold informal meetings on an as-needed basis, asking other partners or associates who can assist with a particular issue to attend.

3. What are the responsibilities of mentors and mentees? Mentees should work on the goals and tasks mentors assign them, schedule meetings, and voice their opinions. Mentors should be available to their mentees, keep discussions confidential, and give honest and constructive feedback.

4. What should mentors and mentees discuss? Meetings should focus on the mentees’ professional business goals and progress.

5. How should your firm compensate and evaluate mentors? Compensate mentoring time as you do productive or non-billable management time. Require associates to evaluate their mentors annually and send their responses to the designated program manager.

6. How should your firm train mentors? Make sure each mentor knows the firm’s history, culture, and philosophy, and provide tips on becoming an effective listener and coach.

7. What qualities should mentors possess? Motivational and listening skills and an ability to sort out issues are key. Consider both senior associates and partners for the job—and don’t make age and experience overriding factors.

Not all associates need mentors, though firms should make this mandatory for associates during their first four years in the profession. Even seasoned or lateral hires can benefit from this tool.

(Source: Law Firm Management; 310-654-9000)