

## The Last Act: Rules of Succession

by Patrick J. McKenna

In an article in *The Recorder*, entitled ***Rules of Succession***, the author claims that when a new law firm leader is chosen, it is better to hand over the reins immediately.

Now I don't usually take issue with the advice offered by someone who has served for 10-years as Chairman of a distinguished AmLaw firm, but this is one of those times where someone's views may not only be unfortunately biased by their own personal experience, but actually hazardous to the personal aspirations and career progress of new law firm leaders.

According to this individual, in 1993 following his announced intention to step down he thought he was doing his firm and his successor a favor by allowing a four-month transition of leadership. He explains, "I could not have been more wrong. The firm drifted. A leadership vacuum ensued. I had the power of the office but, being a lame duck, no one paid any attention to me."

He goes on to counsel new leaders that "Since that time, I have preached on innumerable occasions — managing partner workshops, law firm leadership forums, graduate school programs on law firm management — that law firms should not follow the U.S. approach to transitions in leadership. Elect your new managing partner or chair and get on with it — immediately!"

Now I've had the good fortune to author two monographs: "*First 100 Days*" for new managing partners; and "*Passing The Baton*" for those about to relinquish office. Both of these texts benefited enormously from the input of dozens of managing partners from firms of all sizes who provided their real-world perspectives and experiences. In addition I've conducted research and one-on-one interviews with at least 50 law firm leaders covering all aspects of their jobs, the challenges attached to leading a law firm, and the agony of making the difficult transition to becoming a firm leader. All of my work unhesitatingly confirms for me that the problems that this individual refers to (firm drift, leadership vacuum, and the lame duck syndrome) may indeed occur, but are usually the result of not knowing how to conduct an effective transition from one leader to the next.

The accumulated wisdom of the incumbent is incredibly valuable during the transition period and no one is in a better position to get a new leader up to speed than his or her predecessor. I know from first-hand experience in facilitating candid, in-depth discussions between the outgoing and incoming firm leaders, that the outgoing leader can provide unique insights on everything from the expectations of certain power partners to the idiosyncratic attitudes of various board members. Outgoing leaders play an important role in building the foundation upon which their successor can begin their tenure; in particular the two leaders must invest the time to put their heads together. In my experience the ensuing discussion that should take place needs to address a number of specific topics:

1. The two of you need to find a comfortable way to help / let the predecessor step down.

Whether the outgoing leader is ultimately resigning under the best of circumstances or not, you both need to get clear about how you are going to convey it to the world in a way that will place you and your firm in the most positive light. The departing leader needs to compose his or her 30-second ‘elevator speech’ to tell people, in a positive way, why they are making the move and to convey their excitement about the future

2. The two of you need to determine some sensible guidelines for how you will each respect the other’s position.

It is inevitable that people will go to the predecessor’s office to ask her what she thinks of the new managing partner’s approach. Neither of you can afford to make the mistake of accepting an invitation to complain about the others’ possible weaknesses. Agree, in advance, to forgive any shortcomings that might be noticed and make mutual agreements not to badmouth each other.

3. The predecessor should assist the new leader with rectifying any difficult or protracted situations (make the tough changes) before stepping down.

A leadership transition is a good time for the incumbent to deal with those long delayed but annoying operational problems or troublesome personalities, so the new leader can come in and immediately begin to address the more important and strategic issues.

4. The predecessor should help the new leader identify and securing early wins to build momentum.

I’ve counseled those retiring from firm leadership to “think about what information you would want at close proximity, if you were now about to embark on accepting this leadership position.” You owe it to the next leader to provide detailed information about critical tasks and deadlines. And, your potential for being of immeasurable assistance goes well beyond just administrative minutia. The outgoing leader is often in a good position to help his or her successor identify areas that offer the best opportunity for quick success, and highlight potential pitfalls or areas of contention.

5. The new leader needs to ask the predecessor to have sensitivity for the influence he still has and detail the ways he can inadvertently undermine efforts.

One of the keys to the success of the transition process is a clear definition of roles and the willingness of the departing leader to let his or her successor lead the firm unimpeded. It is up to the outgoing leader to adapt to the new situation. The outgoing leader must be coached to allow the incoming leader to run with things, even when they might be in stark contrast with one of his or her previous initiatives or convey a complete change in the firm’s strategic direction. The incoming leader needs to gently remind their predecessor that changing times sometimes require changing approaches.

6. The predecessor should find the means to provide a specific endorsement with sensitive peers.

Before the new leader begins in their role, one of the important tasks the retiring leader could assume is to talk one-on-one with those of the partners who may be the most adversely affected by having a new firm leader – any partner who is disappointed that they weren’t considered for the role (rivals); any of the partners who may now feel threatened

because they were in a favored position with the outgoing administration; and any partner whom for whatever reason (different area of practice) may feel some disappointment with this candidate becoming the firm's new managing partner. The predecessor's role is to do whatever you can, to use your friendship or influence with each of these partners to encourage them to get on-board and work with your successor.

7. The two of you need to determine a symbolic show of support.

Symbolism and ritual are a powerful way to communicate a positive hand-off of leadership. In the case of one prominent firm, the out-going Firm Chair staged a somewhat humorous but effective ceremony, where he literally passed a baton engraved with the firm's name, to the new leader. These fairly simple gestures, symbols or ceremonies help everyone deal with their feelings, while bringing the existing leader's tenure to a psychological conclusion and opening people's minds to new possibilities.

8. Finally I believe it is important to commit your agreements and understandings to writing and set a date to assess your mutual progress.

Contrary to the advice to "get on with it – immediately," what I've learned is that this transition (News Flash!) is not about you as the outgoing leader. Your primary role in the final days is not to become obsessed with how your colleagues see you or what you think your legacy is going to be; your primary role is to help your successor succeed. I would enthusiastically advise new firm leaders that a transition period of a couple of months is **absolutely necessary** and allows for you to attend to all of the myriad of details that need to be thought through before assuming office.

As a new firm leader, there are numerous activities that need your attention during the period from when you are first elected (or selected) to your first official day in office – from preparing your family for the huge time sacrifice that is about to transpire, to determining how you are going to transition some (or most) of your personal practice and the inherent client relationships.

One of the primary issues in becoming a firm leader is in getting to really know your strengths and weaknesses (some pertinent self-discovery). At the First 100 Days master class that Brian Burke and I have now conducted with over 40 leaders from firms between 75 and 1800 lawyers in size we put every registrant through a personal assessment instrument to help them better understand their unique strengths and how they react under stress. Ideally, these new managing partners want to receive this kind of instruction 'before' they assume office, not after they've been dropped into a quick sink-or-swim situation. During the course of a day, we methodically go through answering the kinds of questions that new firms leaders are often most concerned about:

- Am I really clear on the reasons why I accepted this position?
- How can I be sure that I have correctly understood what is expected of me?
- Which tasks should be a priority and which can be put on hold?
- Who am I going to meet with first and what am I going to say?
- Have I defined the challenges facing my firm and determined an approach to dealing with them?
- When can I begin to introduce change and what is my initial plan of action?
- How do I make sure that I have the support I need from the partnership?

There is no definitive answer to the question of exactly how long an outgoing leader should stay in office after announcing his or her departure. The consensus among those firm leaders that I have discussed this with, is that three months provides for time to make an effective transition.

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