

Uniting A Divided Firm

Here is the latest in a regular series of articles based on the work of the Managing Partner Leadership Advisory Board (“LAB”).

The LAB was created by international law practice management consultant Patrick J. McKenna and Baker & Daniels Chair Emeritus Brian K. Burke to offer recently appointed managing partners a forum in which to pose questions on issues of critical leadership importance. LAB responses derive from its members' many years' experience as law firm leaders.

Along with McKenna and Burke, the LAB includes the following distinguished current and former law firm leaders: Angelo Arcadipane (Dickstein Shapiro LLP); John Bouma (Snell & Wilmer LLP); Ben F. Johnson, III (Alston & Bird LLP); Keith B. Simmons (Bass Berry & Sims PLC); William J. Strickland (McGuire Woods LLP); Harry P. Trueheart, III (Nixon Peabody LLP); R. Thomas Stanton (Squire Sanders); Robert M. Granatstein (Blake Cassels and Graydon).

QUESTION:

I'm about to become (in two months) the new managing partner at a firm where approximately one-half of our lawyers are in one city (where my office is), while the rest are dispersed over four smaller locations, and across three States. There is a strong sense of us-and-them that unfortunately has developed. And being yet another managing partner from the firm's largest office doesn't help. One of the priorities, that I want to direct some of my attention to addressing, is to implement actions that would serve to make our long-distance working relationships more cohesive. I am planning to visit each of the offices before I assume leadership, and on a regular basis thereafter, but that doesn't really address the core issue here.

What has been your experience with handling this situation? What advice, what specific strategies and activities would you suggest that I implement?

RESPONSE:

This is a topic that members of our group have all worked at, for some time, with reasonable success and for good reason. Integration of multiple offices is very difficult, particularly if they come from different backgrounds through mergers. It takes constant attention.

While as Managing Partner, you can do some on this on your own and make an important personal contribution, in the end it is a matter of molding the firm culture into a "one firm" culture that is inclusive of all geographies at many levels.

Here are some steps that we would recommend:

Examine and Address The “Us and Them” Warning Signs.

As you visit with people in each of your offices, see if you can begin to identify the various sources that may contribute to fostering any sense of “us-and-them” as you identified it.

LISTEN for: How are my partners talking about issues and problems? Is there a lot of finger-pointing? Do lawyers and staff use words like, “you” and “your” instead of “we” and “our?” For example, “You aren’t making your expected revenue numbers” sounds much different to those involved than, “We aren’t hitting our budget.”

LOOK for: what we inadvertently might be doing within our law firm that promotes an us-and-them mentality. You may observe that there are a few things that either promote unhealthy competition between offices or result in people resenting one another; such as the way we:

- give each office separate identities or goals – such as office budget targets, etc.;
- acknowledge or reward people for contributions made at their office level rather than contributions made for the entire firm;
- keep them physically isolated—without encouraging or providing the budget dollars necessary to have lawyers communicating and meeting face-to-face on any kind of regular basis; and
- make it difficult to communicate such that there are limited technology tools (state-of-the-art video-conferencing) available to utilize when people cannot meet in person.

When any of this happens, it becomes *inevitable* that lawyers will, at best, tolerate those in other locations and at worst despise them. And, an “us-and-them” mentality can easily be amplified during times of change and economic pressure in the marketplace. This internal battleground saps capacity, distracts professionals from properly serving their clients and subverts your firm’s ability to develop a strong unified market presence.

Some things that you might try to make sure that you do during your visits, is to:

- remind your partners of some of the heroes within your firm who come from the various offices, what they have added to the firm’s profile and reputation, and how proud you are of their contribution;
- describe some of the firm’s long revered traditions (that may have been forgotten), some of the deeper values that lawyers from across all offices share in common, some of the goals that you believe everyone shares, and inquire of each partner whether he or she thinks that those are still worth preserving; and
- finally, ask your partners to help you identify the common challenges that they believe everyone in the firm must work together to resolve.

When you begin your term of office speaking the language of inclusion, it sets the tone for what you believe to be most important.

Ensure That Your Firm’s Structure Supports The Desired Culture.

With this as your starting point, it is then absolutely essential that you ensure that you have firm-wide groups with leadership dispersed firm wide.

Look at your firm’s business plans. Are there practice objectives that go beyond local office based goals and opportunities? If not, should there be? Most firms have a mix of local opportunities and those without a strong geographic component - a nationally or regionally competitive expertise, a practice which could best be staffed with a mix of resources from your various offices, a client that has needs in more than one city where you are based, etc. Building plans that naturally require integration in the firm will help drive the result you want.

In other words, we believe that firm-wide practice groups are essential to integration. The representation of various offices among the leaders of the practice groups is critical. As managing partner, you may need to force this issue. Your message to the partnership is that "top of the matrix" must be firm-wide practice groups, not offices, as management entities. The same would be true of industry groups or similar constructs and client service teams.

Our LAB members believe strongly that office centrality is the great 'divide and conqueror' in any law firm structure. There should be no "branch offices" and "branch office" terminology. Be sure that your firm's staff understands the "one firm" message and does not emphasize offices in their communications more than necessary. In fact, if it is feasible, you should examine placing some of your senior staff leadership in your other offices. And be certain to minimize "office" based intra-firm reporting (E.g. financials, sales successes, partner promotions; etc.). Any publication of office profitability statistics can be counterproductive. Of course, firm management will need this information, but the release of this information can create divisions among partners. Your role is also to ensure that you review every intra-firm communication to be sure it reinforces the 'one firm' message - or at least does not inadvertently undercut it.

Just having firm-wide practice groups is, in and of itself, not enough. You also need to encourage your practice group leaders to invest a greater effort than usual to create team identity and purpose. Each group needs to have specific written operating guidelines determined by the members of the group. You need to encourage cross-office matter staffing – there is absolutely no substitute for bringing people together than to have them working in harmony to satisfy a client's requirements.

Your firm-wide groups need to create as much face-time as possible so people connect at a human level, not just a task level. Whenever possible the practice group leader should be strongly encouraged to travel to one of the other offices to physically be there for the monthly group meeting. Each group should conduct a bi-annual practice group retreat to discuss and shape the direction for the group.

As managing partner, you should schedule frequent, formal feedback sessions — times when you can gather together the practice group leaders, from all offices, to specifically ask about what's working and what's not.

Ensure That Your Systems Also Support The Desired Culture.

If the culture is deeply dug-in to an office-based configuration, and the *us-and-them* atmosphere is toxic, then it may be necessary for that issue to be addressed directly and openly in the firm to air it out and get people on board with a program to change the culture. It may be necessary to overdo this for a while to change direction.

In the interim, examine some of the levers you have available to you to shape your firm's culture, including:

- Put more money and time than you would prefer into communications and travel among offices and in bringing partners, associates and staff together - this includes not only yourself and the other lawyer and staff leaders, but others in the firm - in connection with , e.g., joint marketing and sales activities, training, etc and be sure it is not just people from the big office leading the way.

- Make sure that you spread firm leadership and committee roles among partners across the various geographic locations.
- It is a good idea to have some metrics to track the flow of work back and forth between offices. Many firms track the import and export of work. It is not so important that there be an exact "balance of trade." What is important is that work is flowing back and forth.
- Make certain and explicit in your compensation system that a firm-wide perspective and effective firm-wide integration and practice efforts are valued and recognized.
- Use small prizes or awards — that provide the occasion for partners to recognize that individual in one of the other offices that was most instrumental in ensuring that a client matter was executed properly or was most helpful to assisting with a specific task, or whatever.

Shift The Focus

In the famous book on negotiation *Getting To Yes*, we're told to focus on interests, not positions. Us versus Them happens because there's some set of interests which are in opposition. One key action you can take, then, is to change the focus to something of common interest to all of the partners. Some of the ways firms have found to create a "we're all on the same team" mindset includes:

- Target a common enemy.

Help lawyers and staff keep their eyes on the big picture, the external challenge or competitor. Firms have often found that there is nothing that can unify diverse interests faster than working to beat a competitive firm that shares a common footprint and one that represents a formidable market rival.

- Create a common foundation of pride in what you can achieve together.

Where firm members work together on volunteer tasks, personal betterment tasks (raising money for a charity) or come together to build something great, it serves to help build bonds of friendship and trust. For example, many firms that have purposely gone after a "best places to work" award, report that the effort required, the energies invested and the satisfaction of being recognized has done more to unify their firm's spirits than anything else they could have pursued.

Whether you decide to create a new shared performance metric, rally around a shared threat or aspire to a shared ambition, your central task is to find a common ground and a context that everyone can relate to. Everyone in every office needs to understand what is at stake and what can be achieved together. This helps shift the focus. The goal is to change from being on different sides to being on the same team.

As someone once put it very eloquently – in order to put an end to us versus them, us must become them, and them must become us.