

Retention of Women Lawyers Is Team Building One of the Keys?

By Deborah Alley Smith

Every partner lives in fear of the day that her best and brightest young female associate says, "I really appreciate all the opportunities the firm has provided to me, and I have really enjoyed my time here, but...." You can fill in the blank. The stated reasons for leaving are endless, but regardless of the reasons, the result is the same, and it costs you and your firm dearly. In fact, from the training investment in the now-departing lawyer to the time and revenue spent getting another lawyer up to speed in the matters assigned to the departing lawyer, some estimate the loss of a senior associate can cost a firm several hundred thousand dollars. The disruption to your practice, the effects on morale, and the concerns such losses may raise with clients also add to the overall cost when an associate departs.

Obviously, the loss of any good associate is costly. However, if you are attuned to firm management issues at all, you are familiar with the ongoing conversation in the legal community about why so many more female associates than male associates leave law firms and what can be done to improve the retention rate of female lawyers. Gender bias, inequity in assignments, the need for flextime, extended partnership tracks, and telecommuting options are among the many topics included in that broad discussion. Every aspect of this

conversation is important, and effectively addressing any one of the topics could improve retention rates. Still, I think that a more fundamental solution—one that focuses on creating a workplace that women attorneys don't *want* to leave—is the key.

Certainly, I don't profess to have a magic formula that will allow your firm to retain all its female lawyers. However, as a female lawyer who has continued to practice full time for the last 25 years, despite the pressures of raising a family, I do have some personal experience with the issues that lead women lawyers to leave law firms and choose alternate paths. As the managing partner of a 50-lawyer firm, I also have put a lot of thought into retention of lawyers generally and, more particularly, issues related to the retention of women and minorities. So, I do have some opinions on the issue, which I will share here. This is not a scholarly article that will cite statistics or survey results. There are lots of those that you can locate easily with a Google search. Rather, this is simply my opinion based on my own experience.

Make a Young Lawyer a Part of Your Team

With my previous disclaimer, I believe that team building may be the key to retaining lawyers generally and retaining female

lawyers more particularly. My thinking on this issue begins with the premise that most, if not all, lawyers need to feel that they are valued, respected, and really making a contribution. Team building focuses on forging relationships between individuals so that all are invested in each other and all are valued, respected, contributing parts to a larger whole. My personal experience, observation, and belief is that, on the whole, women tend to be more invested emotionally in their jobs than men and, consequently, have a greater need to feel that they are valued and are making a contribution. For that reason, I think that team building is especially important to increasing the likelihood that a female lawyer will remain at your firm.

Making a young lawyer a part of your team requires that you invest your time in her personal and professional development and that you build a bond of mutual trust and respect with her. Either because we are too busy, too preoccupied with our files, or too far removed from our days as young lawyers to remember, many more senior lawyers treat young lawyers as if they have nothing to contribute to a matter other than responding to very narrow, specific, legal research questions. We need to remember that our young lawyers didn't spend three years in law school to be assembly-line workers—adding one little part to a project, never seeing the finished product, and never knowing the end result or whether their little parts really worked. Young lawyers want to be a part of the team, they want to contribute, and they want to learn. They can't do that if they spend all their time sit-



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ting in a corner of a library or at their computers connected to Westlaw.

We hired these young lawyers—making a significant investment—because we thought that they had the potential to be great lawyers who could exercise good, sound judgment and really contribute to our firms. For that investment to pay off, we must provide them with the opportunities to do that by including them, to the extent feasible, in all aspects of the cases or matters on which they work. Give your associate real, substantive work to accomplish early on, and make sure that she knows why that work is important to a case. If you are invested in her success, she will be invested in yours as well, and it will pay off for both of you.

Be the Coach

Every team needs a coach to train the team members, to inspire them, and to lead them. As any team athlete can attest, when a coach focuses individual attention on a team member, it gives the team member a big boost in confidence and inspires him or her to perform to the very best of his or her ability.

Be the coach. Young attorneys want our advice and guidance, and face time with a senior lawyer is huge for a young lawyer. We show a young lawyer that we are invested in her success by making time to interact with her, to give her detailed explanations and instructions, and to give her *constructive* feedback. Sharing your wisdom and experiences with a young attorney is a great way to make her feel a part of your team and also to help her learn about the practice of law.

More than just teaching, being the coach is also about listening and letting young lawyers build confidence in developing their own theories and ideas. So, include her in planning and strategy decisions. Ask for her ideas on timing, case evaluation, settlement strategy, and anticipated outcomes. Don't reject her ideas out of hand, because she may have great ideas that you never considered. And even if she doesn't, including her, encouraging her to express her thoughts, and providing her with real feedback by talking through her ideas lets her know that you value her input, lets her

learn from your analysis, and makes her feel that she is a valued and important part of your team.

Be a Good Coach by Being a Good Teammate

Good athletic coaches and good teammates make sure that all team members under-

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stand that the team is bigger than any one member, every member is successful if the team is successful and the reverse, and games aren't won or lost based on one play or one player. If the team stumbles it is *never* because of just one play or one team member. We need to translate these lessons into our dealings with our young lawyers.

I can't tell you how many times another lawyer has told me that something that was supposed to get done wasn't done because his or her associate dropped the ball. I know of innumerable occasions when another lawyer has told a client that a problem in a case was caused by something his or her associate did or did not do. You can't build a team by passing the buck. Nothing is more demoralizing for a young lawyer than being blamed when there is a problem in a case. As the senior, supervising lawyer, *everything* that happens on a file is *your* ultimate responsibility. Accept it; don't assign blame to others. The loyalty and respect that you will earn by taking responsibility for mistakes on your files, whether you made the mistakes yourself, or they were made by others, will far exceed any cover you get by assigning blame to someone else.

Training Is Crucial to the Success of Your Team and to Each Individual

Just being a part of a team, of course, is not enough. Good training is essential to building a team that works well individually and together. Give your associate the tools to practice law efficiently and effectively over the long-term by providing her with training in all aspects of law practice. Attending substantive CLE programs is an essential part of every lawyer's development, but training in other areas is, in my judgment, equally important. Young lawyers need to learn proper practice-management and time-management skills, how to supervise staff, and ultimately, other lawyers, how the business of law operates, how to market, how to network, and how to deal with clients. Assuring that a young lawyer receives all the training that she needs requires focus and commitment from you, but the training will instill confidence and loyalty in your associate.

Some of the best training, of course, is the on-the-job training that a young lawyer receives by working closely with other lawyers as an integral part of a team, but other more formalized training is needed as well. Much of that training can be provided in-house by tapping into the strengths and expertise of your partners. In most firms, there are individuals who are recognized by the other lawyers in the firm as having developed particular expertise or exceptional skills in certain areas. These partners can teach young lawyers invaluable lessons without having to expend much time and effort in the process. You may have a partner who has vast experience dealing with expert witnesses, for example. In one or two short sessions, perhaps during an in-house seminar or a roundtable discussion at lunch, that partner can teach young lawyers the basics of dealing with an expert witness and, at the same time, impart invaluable tips and practical information that the young lawyers might never discover on their own.

Never underestimate the educational value of war stories. Young lawyers love to hear experienced lawyers tell war stories. When experienced lawyers share their successes and admit their mistakes to a young lawyer, it makes her feel as if she is

in the inner circle. She will remember the war stories and will learn from your experience, and those stories will become her stories, too.

As with real world experience, cultivating relationships with clients and potential clients is a skill that a lawyer develops over time, and young lawyers need to see how experienced lawyers deal with clients and potential clients to learn how to do it themselves. When experienced lawyers include young lawyers in their meetings and telephone calls with clients and potential clients, it gives the young lawyers the opportunity to see how it is done. It also allows a more experienced lawyer to become comfortable with the young lawyer's ability to communicate appropriately with a client or potential client. From a young lawyer's perspective, when an experienced lawyer includes her in dealings with a client, it demonstrates in a very real way the trust that the experienced lawyer has in the younger lawyer.

Some training may not be easily provided in-house, leadership skills, for example. Not every person is a born leader, and some young lawyers will never assume management or leadership positions in their law firms or legal communities, but every young lawyer, and every experienced lawyer, too, for that matter, can benefit from leadership training. Many bar associations have leadership forums, and many good leadership training seminars are available. Even if a young lawyer learns only how she can lead her own staff members, the investment is well worth it.

Networking skills can't be developed in the office either, nor can you simply ship a young lawyer off to a conference and expect her to figure out how to network on her own. By and large, young associates sent to conferences, particularly big regional or national conferences, will get very little out of them. Big conferences are intimidating for a young lawyer. She doesn't know anyone; she doesn't know the protocols, appropriate dress, and demeanor—is that reception a casual social function or a business function?; and she doesn't know how to make connections in that type of environment. Unless she is very outgoing and gregarious, she is unlikely to meet anyone

who will even remember her the next day, and she is unlikely to enjoy the conference experience.

Inexperienced associates need experienced lawyers to go with them to conferences to show them the ropes—especially in the first couple of years of their practice. If you take your associate to a confer-

Encourage women associates to become involved in a women's legal group, like DRI's Women in the Law Committee.

ence, introduce her to those you know at the conference and show her how to make new connections at such events, chances are much greater that she will enjoy the conference, really learn something, make lasting connections and, perhaps most importantly, be enthusiastic about attending those events in the future.

Your willingness to invest in training an inexperienced associate demonstrates your confidence in her abilities, which builds her self-confidence and her loyalty to you. Significantly, if you show that you believe in her, she will believe in herself.

Steal a Play from the Old Days by Providing Opportunities to Watch and Learn

It's no secret that lawyers don't learn much in law school about actually practicing law. When my father began practicing law in the late 1950s, he began by shadowing an experienced lawyer, watching, learning, and emulating what he did. Law practice had changed significantly by the time I began practicing in the mid-1980s, but even so, the senior partner who was my mentor made a special effort to provide opportunities for me to watch and learn.

He took me to many meetings, depositions, and hearings when he didn't really need me there. He could seldom bill for my time for these excursions, but he gave me those opportunities so that I could watch and learn anyway.

My mentor always introduced me to the client, judge, and other lawyers present on these occasions, saying that he brought "his lawyer" (me) to advise him, and he always asked for my thoughts and opinions about what occurred. Nothing makes a young lawyer feel more a part of the team than to have a senior lawyer include her, acknowledge her, and seek her input in the presence of other lawyers, judges, and clients.

Make Sure That Work Is More than Just Work

Let's face it. With even the very best job, a lot of what you do is not "fun." It's just doing "stuff" that has to be done. Sometimes what has to be done is drudgery, and occasionally it's even downright miserable, but it must be done. Enjoying your job in large measure depends on enjoying and respecting the people with whom you work. So, to increase the likelihood that a good lawyer will stay with your firm, you should develop a strong relationship with her and make sure that she builds relationships with others in your firm and within your immediate practice group. No matter how great the work is, if she can't stand the people that she works with, she isn't likely to stick around long. Conversely, if she really likes and enjoys the people with whom she works, tasks that might otherwise seem drudging are not so bad.

Admittedly, there is only so much that you can do to foster friendships among others, but you can certainly make a concerted effort to develop a relationship with your associate and set the stage for her to build other relationships as well. Encourage your associates to connect with you and with each other by inviting them out for drinks or for dinner. Unless you are working on something with an immediate deadline, it won't kill you or them to leave 30 minutes or an hour early a day or two a month and gather at the local pub for a drink and conversation. Send out an e-mail to a

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select few or to everyone and invite them to join you. You might be surprised by how much you can learn about, and enjoy, your young colleagues if you engage with them in a different setting. In addition, provide opportunities for the young lawyers in your firm to get together as a group—either for lunch, dinner, or an event during a week-end—to socialize and bond. Not only are these social outings enjoyable, they also pay dividends in terms of your attorneys' abilities to work as a team and collaborate.

Give Women Lawyers the Opportunity to Connect with Other Women Lawyers

Women connect with other women on a completely different level than we connect with men, particularly at women-only events. We share information and discuss issues that we would never broach in a mixed crowd. In doing so, we can make lasting connections very quickly and those connections can turn into mentoring relationships, referral relationships, and new business much more easily than in other settings.

You should encourage women associates to become involved in a women's legal

group, like DRI's Women in the Law Committee. Most bar associations have a women's committee, and there are many other organizations focusing in whole or in part on women lawyers, like the National Association of Women Lawyers, National Association of Minority and Women Owned Law Firms, and the Women's Lawyer Alliance.

You should also encourage your women associates to attend conferences sponsored by groups such as DRI, for instance, DRI's Sharing Success Seminar. This outstanding program provides a perfect opportunity for women lawyers to connect with other women lawyers on a meaningful level, to develop networking skills in a kinder, gentler environment, and to earn a full year's worth of CLE credit on a broad range of timely substantive legal topics. By giving women lawyers opportunities to attend such events, firms provide them with the support network and connections that they need to flourish.

Is Team Building the Answer?

How can your firm retain its bright, young, women attorneys? My belief is that team building is a fundamental part of the

answer. Show women lawyers that you value them by making them an integral part of your team, and they will become personally invested in the firm. Show them that you are invested in them by teaching them, training them, coaching them, and supporting them, and they will feel that they are valued members of the firm. Develop a bond of mutual trust and respect with them. And, encourage them to develop friendships within the firm and with other women attorneys, and they will feel that they belong.

True, team building is probably not the solution to every problem. You still may need to confront issues such as flexible schedules, inequitable assignments or advancement opportunities, and other obstacles. But building a team environment, one where the firm is invested in each attorney, and each attorney is reciprocally invested in the firm, may provide the necessary motivation both for the firm and for women attorneys to want to find solutions to the obstacles that women lawyers face when trying to balance professional and personal lives. Team building will sure make it more difficult for women attorneys to walk away. ■