

BUSINESS & CAREERS

Some need more support than others

A few years ago the question was: 'Do we need to provide business development support for our lawyers?' Now the question is: 'How do we best provide business development support for our lawyers?'

Here are some insights into the differences and possible applications for business development training and coaching. In the end, it is for you and your firm to decide which meets your needs, or if a combination of both approaches might work best.

First, let's look at the benefits of business development training:

- The ability to provide knowledge transfer in a timely manner;
- The ability to reach a large number of lawyers at the same time;



THE COACH

GARY MITCHELL

- Investment is relatively low per participant.

Some of the possible applications for business development training:

- Introduce your associates to the basics of business development;
- A great way to build a solid business development foundation;
- Ensure your lawyers all have the same information and carry the same message;
- Ensure your lawyers support your firm brand;
- Can be used as a team building

exercise;

- A great way for your firm to identify or confirm rising stars.

Now let's take a look at some of the benefits of business development coaching. They include:

- Customized learning to meet individual needs;
- Confidential approach leads to lawyers letting down their guard and admitting vulnerability or areas for growth (leading to positive change in behavior and habits);
- The ability to work through internal political issues in a safe environment;
- Allows for the time required to learn new skills and practice them;
- Lawyers will better learn to trust their instincts through repeating approaches;

- Advice is based on the particular situation of the lawyer and client relationship;

- Supportive time and practice management tips are provided as they are required to support business development.

Some of the possible applications of business development coaching include:

- Support rising stars getting to the next level;
- Support for associates and non-equity partners in earning full partnership;
- Support for lateral hires to adapt to firm culture and thrive in their new environment;
- Support for lawyers when they need to re-direct their practice based on firm or individual needs;
- Support for lawyers prior to

and upon re-entry following a leave of absence;

- Support retention by helping associates to become successful within your firm.

So why is it beneficial to use both? Because the individual needs of your lawyers differ. Some may require more support than others. Some may have very particular situations that cannot be addressed in a classroom setting. And some may be great to go with only a few training sessions — or none at all, for that matter. The reality is that there is no such thing as a one-size-fits-all approach.

So how do you employ both strategies to support your lawyers in business development? Let's start with training. In creating your
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ANNOUNCEMENTS

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WELCOME TO OUR NEWEST PARTNER

We are pleased to welcome Kamleh Nicola as a Partner to the Baker & McKenzie Toronto Office.

With over 20 years of experience in litigation and dispute resolution, and an emphasis on all aspects of patent and trademark matters, and pharmaceuticals, including litigation relating to the *Patented Medicines (Notice of Compliance) Regulations*, Kamleh joins the more than 450 lawyers in our Global Intellectual Property Practice who provide practical advice to identify, manage and protect IP assets.

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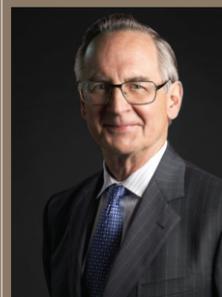
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Ian Binnie has joined Lenczner Slaght

The Honourable Ian Binnie, former Justice of the Supreme Court of Canada, has joined Lenczner Slaght as Counsel.

One of Canada's leading litigators, Mr. Binnie practised for three decades in courtrooms across the country before serving from 1998 to 2011 as a Justice of the nation's highest court. He will share strategic and practical advice, and his dispute resolution expertise, with his Lenczner Slaght colleagues and the firm's clients.

We are privileged and delighted to welcome him to the firm.



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BUSINESS & CAREERS

UN group hopes for eBay-like rules

Global

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PayPal have successfully created online dispute resolution systems that effectively decide issues for the parties involved. On the international stage, of course, creating such a system becomes immensely more complex.

"We built a civil justice system. We built a walled garden. Now the challenge is more and more transactions are happening outside the walled garden. That's what UNCITRAL is trying to do," said Rule, who is currently writing a book for the American Bar Association on what a justice system for the

Internet would look like.

The proof ultimately will be in the product created. Until then, the world is waiting to see what the UN group recommends. "On the question of how helpful UNCITRAL is in enhancing ODR, that matter may still be uncertain, in terms of whether an agreed set of rules is ultimately created, how many states choose to implement and what the uptake rates are among users," Thompson said.

"It is fair to say that the UNCITRAL Working Group has literally put the discussion of ODR on the world stage — at least with respect to cross-border consumer disputes." ■

ODR's untapped advantage

It's widely documented that online dispute resolution, or ODR, is faster and less expensive than litigation. However, Noam Ebner, an assistant professor at Creighton University's School of Law in Nebraska, and Colleen Getz, a public policy and evaluation consultant based in Victoria, believe there's another important advantage to ODR that has been noticeably overlooked: It's inherently green.

In a paper that will be published this March in *Conflict Resolution Quarterly*, the authors point out that

■ In ODR, parties connect at a dis-

tance eliminating what is often the most significant environmental cost of all: carbon emissions resulting from travel.

■ In ODR, paper use is reduced to a minimum and often eliminated altogether.

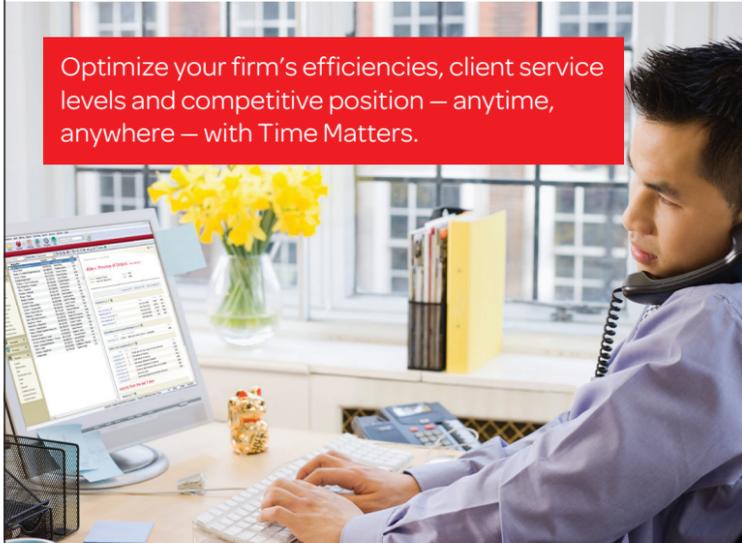
■ ODR services often eliminate or decrease the need for office space, reducing the need for construction of office buildings (or large structures such as courthouses). Fewer buildings, in turn, can be equated with reduced impact on wildlife habitats, or it can be factored into an equation of energy savings: every court com-

plex not built saves millions of kilowatt hours of electricity a year.

Yet the authors of *ODR: The Next Green Giant* stated: "Despite the evident 'green-ness' of the tools of its trade, ODR professionals have been slow to identify or spotlight this aspect of their practice as one of the many positive attributes of ODR: environmental advantages are not discussed as a benefit the field offers to policy-makers at the macro level, or advertised as a consideration that individual consumers might take into account." ■

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Easier to find rising stars

Training

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training program, I advise first to audit the needs of your associates. This should be done anonymously so they are more likely to be frank about their real needs.

Secondly, it's advisable to have your marketing team involved in the creation of your training programs to ensure they are aligned with the strategic focus of your firm. There is no question that training will produce some individual results. However, to get maximum results, training should be aligned with firm as well as lawyer needs and goals.

Once you have decided on your curriculum, you are ready to roll out your training programs. Ensure there is some level of accountability and measurement

so you can make changes to improve your programs moving forward. I always advise this to start early on in your associate's career. At that stage while there may not be much pressure yet to develop business, and the earlier you can plant the seeds, the better. Your programs should be broken down and targeted for junior associates, intermediate and senior associates and junior partners.

If you haven't already, you will be better able to identify your rising stars. These are your lawyers who show an aptitude for business development and/or leadership. They are the future of your firm. This is one application where you can bring in coaching. With one-to-one coaching you can speed up the time it will take these lawyers to thrive. As they already have some natural ability, with

coaching, they can learn very quickly how and where to take their practice to the next level.

As they are likely to already be highly regarded among their peers, the success they create will go a long way in helping you expand your coaching program on a broader scale. As you know, lawyers love evidence.

Another effective application for coaching is in helping some of your associates who may be struggling for various reasons, and whom the firm would prefer to retain. I must be clear here however. I am not advocating coaching for lawyers that are in trouble and the firm doesn't see as future partnership material. They could be in the wrong practice area. They could be overwhelmed. They could be feeling so much pressure to bring in new business and not know where and how to start. And without effective support, sometimes, they will just leave.

Coaching can be an effective way of helping these associates turn their careers around and make a solid home at your firm. When you weigh the cost of losing them against the investment in retaining them, the numbers always support this application.

Generally speaking, training is most effective in broad applications, while coaching is best suited to support lawyers in unique situations. If you are still in question about which approach to take, seek out lawyers who have had both experiences. Find out what they have to say. Find out what worked best for them. ■

Gary Mitchell is a business development coach working exclusively with lawyers. His first book, 'The Business Development Guide Book for Lawyers' will be published in July. You can reach Gary at gary@ontraccoach.com or by phone at 778.785.0001.

LEGAL DIRECTOR LegalAid SASKATCHEWAN

Legal Aid Saskatchewan promotes access to justice for eligible persons through the provision of quality legal assistance through our fifteen offices in the province. Legal Aid Saskatchewan is seeking a Legal Director for its Meadow Lake Area Office.

Under the supervision and direction of the Chief Executive Officer, the Legal Director is responsible for the overall supervision and management of the office in addition to providing counsel to eligible clients. This position involves some travel in small aircraft to northern communities.

As the ideal candidate, you bring a commitment to exceptional client service; have superior communication and leadership skills; have managerial/supervisory experience and a passion for the law. You possess an LL.B. degree and have five plus years of experience in criminal and/or family law at the Provincial and Queen's Bench Courts. You must be eligible for membership in the Law Society of Saskatchewan.

The salary range for the position is \$113,307 to \$139,120 per annum. There is a comprehensive benefits package inclusive of a pension plan. The incumbents are entitled to 3 weeks annual vacation, 15 EDO's and 13 Statutory Holidays.

We encourage applications from people of Aboriginal ancestry, persons of a visible minority group, persons with disabilities and women seeking management and non-traditional roles. Legal Aid Saskatchewan has an employment equity program approved by the Saskatchewan Human Rights Commission.

To explore this opportunity, please send your resumé prior to April 30, 2012 to Human Resources, Legal Aid Saskatchewan, Central Office, #502 - 201 21st Street East, SASKATOON SK S7K 0B8 FAX: (306) 933-6764, E-Mail: humanresources@legalaid.sk.ca Web: www.legalaid.sk.ca