

Business & Careers

Improving the business for succession planning



Gary Mitchell
The Coach

Today's legal marketplace is filled with firms populated by aging and soon-to-be retiring partners. Whether large or small, regional or national, the current demographics of the work force are forcing more and more firms to look at succession planning seriously, and soon.

Coaching lawyers in business development has given me the opportunity to look at this challenge with fresh perspective, and certainly from a business case for succession planning. This column serves to provide you with strategies in five key areas: pass-



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ing the torch with current client relationships; creating a business development (BD) culture; pruning where needed; recruitment, and leadership.

Current client relationships

If your senior partners are protecting their client relationships and not engaging younger law-

yers in the relationship, this will not serve you well. They must be shown the value of introducing the next generation of lawyers into the relationship, and the

sooner the better. Allow your more intermediate and junior lawyers the time to develop their own relationships with these institutional clients. Bring them along to client meetings and lunches. Get them involved in the work and files. This gives your clients the opportunity to become comfortable and confident working with other lawyers. When the time comes to pass the torch, your clients are less likely to have an uneasy feeling about working with someone else at your firm. And it protects the firm from having those clients poached once the partner retires.

Creating a BD culture

Getting your next generation of lawyers up to speed with business development is paramount in creating a successful succession strategy. If your younger lawyers

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JUDICIAL VACANCY ONTARIO COURT OF JUSTICE WINDSOR

The Judicial Appointments Advisory Committee advises the Attorney General of Ontario on the appointment of Judges to the Ontario Court of Justice, and invites applications for a judicial position in Windsor.

This appointment involves presiding over family and criminal law matters (approximately 75% family and 25% criminal) and also involves considerable travel within the regional boundaries as assigned by the Regional Senior Justice and/or the Chief Justice.

The minimum requirement to apply to be a Judge in the Ontario Court of Justice is **ten years completed** membership as a barrister and solicitor at the Bar of one of the Provinces or Territories of Canada.

All candidates must apply either by submitting 14 copies of the **current** (Nov 2011) completed Judicial Candidate Information Form in the first instance or by a short letter (14 copies) if the current form has been submitted within the **previous 12 months**. **Should you wish to change any information in your application, you must send in 14 copies of a fully revised Judicial Candidate Information Form.**

If you wish to apply and need a current Judicial Candidate Information Form, or if you would like further information, please contact:

Judicial Appointments Advisory Committee
Tel: (416) 326-4060. Fax: (416) 212-7316
Website: www.ontariocourts.ca/ocj/jaac/

All applications, either sent by courier, mail or hand delivery, **must** be sent to:

Judicial Appointments Advisory Committee
c/o Ministry of Government Services Mail Delivery
77 Wellesley Street West, Room M2B-88
Macdonald Block, Queen's Park
Toronto, Ontario, M7A 1N3

Applications must be on the current prescribed form and must be **TYPEWRITTEN or COMPUTER GENERATED and RECEIVED BY 4:30 p.m. on Friday, July 12, 2013. CANDIDATES ARE REQUIRED TO PROVIDE 14 COPIES OF THEIR APPLICATION FORM OR LETTER.** A Fax copy will be accepted only if 14 copies of the application or letter are sent concurrently by overnight courier. Applications received after this date **WILL NOT** be considered.

The Judiciary of the Ontario Court of Justice should reasonably reflect the diversity of the population it serves. Applications from members of equality-seeking groups are encouraged.



POSTE À POURVOIR AU SEIN DE LA MAGISTRATURE COUR DE JUSTICE DE L'ONTARIO WINDSOR

Le Comité consultatif sur les nominations à la magistrature conseille le Procureur général de l'Ontario sur les nominations de juges à la Cour de justice de l'Ontario et invite les personnes intéressées à présenter leur demande au poste de juge à Windsor.

Cette nomination comprend la présidence d'affaires de droit de la famille et de droit criminel (environ 75 % droit de la famille et 25 % droit criminel) et requiert également un nombre considérable de déplacements à l'intérieur des limites régionales, selon les assignations du juge principal régional ou du juge en chef.

Pour pouvoir poser sa candidature à un poste de juge à la Cour de justice de l'Ontario, il faut, comme condition minimale, avoir été inscrit comme avocat-plaidant et procureur au barreau de l'une des provinces ou de l'un des territoires du Canada **pendant au moins dix ans**.

Tous les candidats et candidates doivent poser leur candidature soit, dans le premier cas, en présentant le Formulaire de renseignements sur le candidat/la candidate à la magistrature **courant** (nov 2011), soit en envoyant une courte lettre (en 14 exemplaires) si le formulaire courant a été présenté au cours des **12 mois précédents**. **En cas de changements à apporter à un formulaire déjà envoyé, le candidat ou la candidate doit envoyer à nouveau 14 exemplaires du formulaire de renseignements corrigé.**

Si vous voulez poser votre candidature et que vous avez besoin d'un Formulaire de renseignements sur le candidat/la candidate à la magistrature courant, ou encore si vous souhaitez obtenir de plus amples renseignements, veuillez communiquer avec :

Comité consultatif sur les nominations à la magistrature
Téléphone : (416) 326-4060 Télécopieur : (416) 212-7316
Site Web : www.ontariocourts.ca/ocj/fr/jaac/

Toutes les demandes envoyées par service de messagerie, par la poste ou en main propre **doivent** être soumises à l'adresse suivante :

Comité consultatif sur les nominations à la magistrature
a/s Ministère des Services gouvernementaux - Services de distribution du courrier
77, rue Wellesley Ouest, salle M2B-88
Édifice Macdonald, Queen's Park
Toronto (Ontario) M7A 1N3

Les demandes de candidature doivent être déposées par l'entremise du formulaire prescrit courant et DACTYLOGRAPHIÉES ou CRÉÉES PAR ORDINATEUR et **recues au plus tard à 16 h 30 le vendredi 12 juillet 2013. LES CANDIDATS ET CANDIDATES DOIVENT FOURNIR 14 EXEMPLAIRES DE LEUR FORMULAIRE OU DE LEUR LETTRE DE CANDIDATURE.** Une télécopie ne sera acceptée que si 14 exemplaires du formulaire ou de la lettre de candidature sont également envoyés par service de messagerie de 24 heures. On n'accordera **AUCUNE** considération aux candidatures reçues après cette date.

La magistrature provinciale doit refléter raisonnablement la diversité de la population qu'elle sert. Nous encourageons les membres de groupes de promotion de l'égalité à présenter une demande.

Business & Careers

Strategy: Identify skills needed before recruiting

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are unable to cultivate new relationships and bring in new business, how will your firm survive?

In a lot of firms today, however, the majority of lawyers are not interested or comfortable with business development. Where they are interested in strengthening their marketing and BD skills, firms are not willing to make an investment in them. You won't be able to help them all. So the first step in creating a BD culture is to identify those lawyers who would be open to receiving support (training, coaching, mentoring) in their business development efforts. Next, praise them when they achieve great results. Make them an example of what and where the firm is going. Feed on their competitive

nature and reward them for their results. The bottom line: Give them everything they need to succeed.

Clear-cut where needed

This is a little tricky. If you have lawyers who won't buy into this new way, then tough love is required. That will require your firm to take a hard look and determine which lawyers don't fit this new culture. You can't change them. They must be motivated on their own. If they are not willing to support your firm's business development efforts, then perhaps it's time to find them another home.

In his book *Good to Great*, Jim Collins writes: "Spending time and energy trying to 'motivate' people is a waste of time. The

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real question is not, 'How do we motivate our people?' If you have the right people, they will be self-motivated. The right people don't need to be tightly managed or fired up; they will be self-motivated by the inner drive to produce the best results and to be part of creating something great."

That leads us into the next strategy.

Recruitment

You must be relentless in your recruitment efforts. Having worked with all types, sizes and cultures of firms across Canada, I can tell you with certainty, there are lawyers out there who get it. You will want to adjust your recruitment strategies to fill the holes where others have moved on and get the right people on your team.

Collins also says in *Good to Great*: "Let's take the time to make rigorous A+ selections right up front. If we get it right, we'll do everything we can to try to keep them on board for a long time. If we make a mistake, then we'll confront that fact so that we can get on with our work and they can get on with their lives."

This may require adjusting the way you go about recruiting. You will need to figure out how to weed people out through the interview process. Ask dir-

ect questions, such as: "What are you currently doing to attract more business?"; "What associations do you belong to?"; "How often are you networking in front of your target audience?" and "Give us an example of how you brought in new business."

And in this interview process, be sure to include a couple of partners who have proven to be successful in attracting new business. They will likely be of value weeding out the "fakers."

Be crystal clear on where the holes are before you begin your recruitment efforts. Identify the skills and expertise you need to move forward. Putting "bums" in seats is not the answer. You must get the right people on your team to move forward — they're out there, trust me.

Leadership

From the work you do in supporting your lawyers in business development, your next generation of leaders will self-identify. A lot of the same soft skills required to be effective in business development can also be used to lead. In my experience a lot of the people who are good at business development can also become good leaders. Then support them, through coaching, training, and mentoring, in becoming even more effective.

These are just some of the areas to consider when creating your succession plan. All of these strategies are moot, however, if your management team isn't fully prepared for the journey. Some of these strategies will be tough. There will be some pain. But what's the alternative? Let the firm die when your partners retire?

Gary Mitchell works with lawyers and law firms helping them to attract more clients and grow their business. He is the author of 'Raindance: The Business Development Guidebook for Lawyers,' and can be reached at gary@ontraccoach.com or 604-669-5235.

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