



ATTORNEY SEARCH

By Peter L. Smith, Esq.

Zen, Gestalt & Law Firm Culture

Deconstructing the Communication

Picking a law firm is like picking a mail-order bride, only worse. You start with a healthy number of glossy marketing flyers in your hand; you see a hundred smiling faces; you read a hundred vapid, nearly identical descriptions of each firm's "culture" and how "nurturing" each is. Just as untrustworthy as you may conceive of a "bride" (or "groom"!) catalog to be, don't believe a word of this nonsense.

Worse, neither should you take at face value the bracing assurances from third-year associates who promise the firm isn't too harsh and the partners are really great people after all (even if a few do scream just a little). Likewise, take with a grain of salt what interviewers say about firm training and "development." Nor should you put stock in the dark and usually spurious rumors spread by disenchanted senior or mid-level associates that their firm (otherwise stable and highly respected) really has some deep flaw or is about to "go under." None of these sources can give you the information you really need. At best, this information is irrelevant to a proper analysis.

On the other hand, neither do I suggest that you pick at firm at random. Instead, I suggest that you take an entirely different look at what "firm culture" is and apply this new paradigm to your analysis. Doing this is both easier and harder than you may think.

Whatever Happened to "Culture?"

First of all, just what "firm culture" is has changed in the last 10 years. It used to be that even the larger firms truly had unique approaches. There was a slightly different mix of perspectives, attitudes, and energies. Some firms just felt right; other didn't. That quantum of culture was never easy to describe, but "you knew it when you saw it." Things have changed. If I may rely on a rather humble analogy: Recall to mind your high school physics class.

You may have conducted a simple experiment of taking water chilled to below the freezing mark, but under pressure. Amazingly, although the temperature of the water was below 32 degrees Fahrenheit, the pressure applied to it would not permit the water to freeze; it remained a chilled, uniform liquid. Something like that has happened to many law firms. While it is almost by definition that we could say each firm has a nascent cultural "feel," you often can't "feel" it anymore.

Previously, the pressures upon partners to manage cases, market existing clients, cross-sell with other departments, lecture and write, serve on committees, and, oh yes, "mentor" junior associates were not as great, nor as varied. Now, however, I perceive that the immense pressure on partners to perform all of these tasks (and well) has created an atmosphere of pressure so pronounced that what would otherwise coalesce into a cognizable firm "culture" remains cold, immobile, and sterile. Thus, I posit that an aspiring lawyer cannot trust whatever

Zen, Gestalt & Law Firm Culture

“cultural” signals he or she is receiving; they are being transmitted in a necessarily distorted way. Rely on these signals to your peril.

A New Paradigm

Next, what validity does “culture” still have in terms of law firm “fit”? I still believe that some firms are better suited to certain lawyers than others. But there is a better way to divine which is which. As alluded to above, partners (and by extension their firms) simply cannot and do not take the time and effort to put their individual stamps on their firms. Instead, these functions are being carried out by professional vendors. Marketing companies help write flyers; consultants help write mission statements; specialists are brought in to conduct training classes; coaches are brought in to groom the up-and-coming (at best).

With all these mixed and often disharmonious voices added to the mix, how does a prospective associate decide what is a good fit? By returning to basics. I hate to betray my deterministic leanings, but the best way to find out if a particular firm is a “fit” is by looking at the market forces that will inevitably shape the firm’s practice.

Here are the criteria I look at:

PAGE: 2

- What region did this firm originate in?
- What are the component merged entities that have led to the current monster mega-firm you are considering?
- What is the firm footprint (where are they now, and what has been the progression through markets)?
- What are the firm’s stated goals in terms of growth?
- What are the last few “leaked” merger partners that may have fallen through?
- Where did their managing partner come from (is she homegrown or a fairly recent lateral)?
- What is the mix between litigation and transactional work? Who are the firm’s clients (are they “mid-market,” Global 50, or merely Fortune 500)?

The Gestalt Part

The above and other similar questions attempt to understand where a particular firm is going. This is all you can realistically hope to see as an associate. In reality, how the firm “feels” for the first several years of your career is not terribly relevant anyway. Junior associates are shielded from the forces that are really shaping the firm; and by the time associates do begin to discern the realities, they may be confronted with the necessity of a lateral move to find a better “fit”-or with the realization that one may have to shape one’s career in a way inimical to his or her temperament if they want to continue to thrive. Thus, what I have tried to describe is more a gestalt of culture rather than seeing culture as a static state of being.

All firms are going through growth pains as the legal industry begins to catch up to the market realities that have been shaping corporate America for the past 25 years. Culture-as-process is the new paradigm. The insightful attorney is the one that understands her or his own interests, working style, and goals and finds a firm that has demonstrated through its market decisions the intention to create a practice that is in sync with those personal traits.

New Realities

Face it, firms are larger now; they are almost small societies in and of themselves. They are being shaped by individuals, but the totals are greater than the sum of their respective parts-and more complex than perhaps any one attorney can really get his or her arms around. Frankly, the realities of the direction of a particular firm may not be in sync with the “culture” exhibited by the current rank and file. If you want to succeed, you need to think a little beyond whether the firm offers margarita parties or yearly retreats. You need to think about a future practice.

The 'Zen' Part

Thus, my proposed "gestalt" of law firm cultural analysis becomes a nearly "zen" approach. This is because no matter how much you analyze a firm, it is hard to know whether the "right" firm is really the "best" for you. You are going to grow and change as an attorney: Your interests will change; your skills will change; your temperament will change; your personality itself is definitely going to undergo some realignment. It comes down to a gut-level decision-but a gut-level decision made after an appropriate analysis. Regardless, you have to make your choice and run with it-and be prepared to be flexible down the road.

Good luck!

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PAGE: 3