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More law, less firm

This year marks my 25th anniversary as a lawyer. During this time, I have worked in three large law firms, including the Cook County state's attorney's office. In each firm and in the profession as a whole, I consistently hear my law brethren complain about how firms and the profession have become more of a business. This sentiment seems unkind, not only to law firms, but also to businesses. It seems to me, however, that the finer point is it would be better if law firms became more like the best businesses, rather than some negative stereotype of a corporation.

The proliferation of corporate lexicon into the law firm environment is legion — we see it all the time. It starts with law school deans complaining about law school rankings, law firms dueling over rankings by profits or revenues and continues with post-mortems over the cause of a law firm's collapse.

While law firms seem obsessed with the numbers and the intent of becoming better businesses, they somehow seem to forget that professional firms that become obsessed with numbers can make toxic business decisions or fall prey to ethical lapses to improve the numbers, which ultimately lead to the firms' demise. The best businesses have seemed to realize that the numbers are not the goal, but just one sign that they are good businesses. If you look at any list of "best companies," they don't just discuss how much money the company or its executives made; they highlight how skilled the company is at making the employees, who provide the business' goods and services, more motivated and loyal.

The question then is: What should firms do to make their lawyers more motivated and loyal? It strikes me that the answer to that question is a lot simpler than one would think.

1. Provide meaningful, challenging legal

work. While I may be stating the obvious, the fact is that good lawyers live to solve challenging legal problems. For litigators and trial lawyers, making a meaningful contribution to a winning case, rather than just pouring over documents and privilege logs, is the ultimate perk of the job. For corporate lawyers, making a meaningful contribution to an important deal that closes is a reward in itself. For many lawyers — corporate, public or trial — getting a good result for an appreciative client or victim is professional nirvana.

My best days over the last 25 years were the days my team won a dispositive motion, verdict or appeal. Nothing feels better than delivering good news to a client. A firm that is perceived by its lawyers as being a contributor to these positive experiences will have motivated lawyers with unwavering loyalty.

2. Hire skilled people who are or can become trusted and respected colleagues. Good lawyers are obsessed with their area of the law and need to be surrounded by other lawyers whom they respect and with whom they can meaningfully discuss their trade and legal problems both formally and informally.

When I joined my first firm, there were 15 other new graduates with whom I worked and prepared for the bar. We studied together, sought assistance from each other, discussed our work with each other (before we had to discuss it with a partner or client) and supported each other. We still all get together periodically today. Twenty-five years later, being surrounded by associates and partners — who I respect, who seek counsel from me and from whom I seek counsel — results in an environment conducive for the creation of exceptional legal work.

With increased pressures on billable hours and individual productivity, law firms have to

be ever vigilant that they are not forcing their attorneys into individual silos where the best and most creative legal work is not likely to be created.

3. Appreciate the lawyers who provide the work you value. We know that firms talk to their lawyers when they don't make hours or financial targets or make a mistake. How many firms, however, are equally or more committed to recognizing and talking to their lawyers when they do make hours, hit financial targets or do exceptional work or obtain an exceptional result? Law firms, and especially those obsessed with metrics, can spend far more time describing conduct that they don't like, rather than the work that they actually do like. I have no doubt that any organization would be better off if it spent more time recognizing and rewarding good work than it did punishing substandard work.

4. Let lawyers have a life outside of the firm. There will no doubt be times that our clients' legal problems require concerted efforts that leave little time for anything else. However, providing your lawyers with the right support and allowing your lawyers the flexibility to accommodate outside interests and family or social time will increase loyalty and improve motivation. Lawyers who have that flexibility and support appreciate it and do not take it for granted.

I am privileged to have worked with so many talented lawyers and exceptional people (lawyers included) over the last 25 years.

My hope for the next generation of lawyers is that they have a profession and organizations in which to work that continue to celebrate the work and relationships that have been the highlights of my first 25 years in practice. ■

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