

The Truth About Associate Retention

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I am often asked by our clients to “help us stop the bleeding.” Law firms invest so much in sourcing, recruiting and developing their talented associates and to see them leave prematurely can be disastrous. One of my clients had lost nearly a dozen partners and associates (almost all were women and minorities, top performers) in a particular practice area in several weeks.

My client asked how to fix the situation. I suggested conducting external, third party, post-exit interviews. My client was open to the suggestion, sent a cover letter to the former employees saying I would call and follow up. I called and reached all of them. They were told that their responses would be anonymous and answers “would be aggregated” I would only share what kept coming up over and over again and that no individual comments would be shared with the law firm client.

Here are the questions I asked:

- What attracted you to this firm in the first place? (Original Expectation)
- What was your experience like? (Open, not leading question)
- What did you like best about your experience, this firm? What can this firm build on?
- Why did you leave? The real reason – what you did not say before you left.
- Where could they improve? Number one area for improvement?
- What would make you come back? (Would they come back if changes were made? Might they boomerang back?)

All of the attorneys took my call, participated and appreciated the opportunity to share their comments. Keep in mind that this is good for firm image building post exit. What they told me in this one law firm example, supports what we are finding with all of our legal work in the associate retention practice area.

So What Did Associates Say?

Associates leave their firms because:

- They don’t like the way they are being treated (Based on a pattern of treatment);
- They don’t know if they are “partner material” (Do I have what it takes?);
- They don’t know what the “partner track really is” (The partner track is shrouded in mystery.)

- They don't want to be a partner (no alternative track)
They want to have a family and are looking for a non-traditional, maybe part-time track, alternatives;
- They don't feel valued – not getting choice assignments, not being mentored, not getting feedback. They don't feel “embedded in the firm.”
- They don't know the direction of the firm – a great deal of uncertainty exists, hearsay, gossip, and no one is sharing the direction, future, trends;
- They have not “found their place” – moving between practice areas, don't have a mentor, no real anchor to the firm;
- Their expectations were never met – “they told me this was a lifestyle firm – farthest thing from the truth, a total lie.” False expectations are the center of many issues. Do not tout something on your website and recruitment literature that is not true.

Ultimately there is a mismatch or misalignment of expectations between the law firm and the employee. Or, the associate is lost in the “unsaid.” How often after a key associate leaves do partners tell me “Oh I thought he/she was being mentored by that partner or this partner?” The old “I had no idea” reaction is extremely common. Or, the partner tells me “He/she was close to partner XY. I thought he/she knew. Nobody told him/her?”

Our research tell us that this is more common with women and minorities in firms.. Women and minorities are not part of nor do they feel embedded in the “in group” or “dominant group.” This associate has no mentor, no advocate and no anchor in the law firm. This trend also confirms why we are seeing a resurgence in our mentoring profession. There are plenty of reasons for associates to leave. Give them more compelling and better reasons to stay.

Ask Before They Leave

Our clients are conducting “pre-exit interviews” or what we call “retention interviews” for their firms. Questions similar to the ones you read earlier are either asked by internal personnel or an outside consultant. It is amazing what associates tell us but would never tell anyone inside the firm.

Trying to head off the exiting associate at the pass is smart business. It is much more cost effective to keep your existing talent than to go and find new and untested talent. Start asking the difficult questions before your associate leaves and be ready for the answers.

Who Is in Charge of Associate Retention?

Do you have someone or more than one person in charge of associate retention? Are they approachable? Do your associates trust this person? Trust is critical. Don't know? Ask your associates and consider using an external party or platform that cannot track where the feedback came from. Start with questions such as “Who do you go to for help, for career advice, for counsel? Do you trust our associate development person? Yes/No and why – please give us specific examples.”

Doing the same things we have always done with your associates in your firm is just not working. If associates are different, the market is different, and clients are different – why are you sticking to your old plan? Make the tough adjustments now, before it is too late. Many firms are top heavy, partner heavy and several associates leaving at the same time is the start of the decline. We all know that you make more money with your associates.

What are you doing in your firm that is working? What associate retention practices are you finding effective? I would like to hear about what is working for your firm.

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