

The Path to Partnership in Small to Mid-sized Firms

Featured in the May 2016 edition of the [Edge International Communiqué](#)

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If you are a partner in a U.S. law firm with fewer than 200 lawyers, think for a moment of how your current group of senior associates with eight to nine years of experience got to the brink of partnership. Then reflect on who their contemporary associates were at five years of experience. Many will have departed, voluntarily or otherwise. Do you wish that some of those associates were now partnership candidates? Are some of your remaining candidates under consideration by default? Do you have a plan for those who will not make partner in the next two years? We see many firms that do not have good answers to these questions. They have not been managing the “path to partnership” effectively.

Large firms, with recruiting and professional development staffs and personnel committees, have developed some excellent practices that can be borrowed without large investments in support staff. Those firms are not perfect. They still hold on to productive associates who they know will not make partner. Nevertheless, these are some of their best practices that can work for you:

- Develop a sound annual evaluation process, supervised by a committee of partners (with some associate representation); seek self-evaluations and use standard criteria; train partners in giving evaluations.
- Put your criteria for partnership entry in writing, even if you have to express them as “minimum standards.” Explain the criteria and answer questions about them in an associate forum beginning in third year.
- In fifth year, hold two reviews of each associate – one “standard evaluation” and one that advises associates if they are “on track” to make partner, and lets them know how to get back on track if they want that consideration.
- Start business-development training early – awareness in the first two years, some skill in the next two years, then significant investment after the fifth year. You don’t need a big business development staff; you bring in outside trainers and use partner mentoring. (Too often, we expect the senior associate to suddenly have a “book of business” when our emphasis has only been on long hours and quality work.)
- Set the precedent of a “positive departure” for every departing associate, by holding confidential exit interviews, helping them with their next career steps, and welcoming them to your “alumni club” (more on that another time).
- In the last two years of the path to partnership, assign a partner “sponsor” who has the job of helping the associate prepare his or her case to the Partnership Committee. (You have one, right?) The sponsorship is no guarantee of success, but it will send the message that the firm makes every effort to get associates over the bar.
- Have a plan for those who will not make partner. Will they get one more chance next year? Is there room in the counsel

ranks for a skilled niche lawyer? Are there clients or other career options that you can help steer them to? Despite some short-term pain, you may find that sensitive and supportive exit planning will bring positive referrals from that lawyer in the future.

Managing the path to partnership is not an overwhelming job. Partners in mid-sized and smaller firms can adopt some excellent large-firm practices. They will need some outside help and training, plus some annual time investment. Compared to the cost of losing the associates who could have been your star partners, the investment is modest.

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