

# LAW FIRM PARTNERSHIP —

## TIPS FOR ACHIEVING THIS CHALLENGING MILESTONE

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*Following the ten tips outlined will not only increase your chance of becoming partner, it will also prepare you for any alternative legal career you choose to pursue.*

**H**aving suffered through the most difficult fiscal year in their careers, most law firm associates are thankful to have a job. Almost every associate knows someone who was a solid lawyer but who spent a considerable amount of time during 2009 looking for work as a result of a layoff. Most associates also know of a law school classmate or recent graduate who, despite strong grades, has struggled to find paying legal work. Some law firms have cancelled their summer associate programs and severely limited the number of law students they will interview this fall. This is causing some college and law students to wonder if the expense of law school is worth the investment.

In this environment, most associates see law firm partnership as a mirage. Is partnership in a law firm still a realistic option? I believe it is. Challenging, for sure; but not unattainable. In this article, I make some suggestions for how a law firm associate can thrive at a law firm and improve his or her chances of attaining that elusive partnership.

### TIP | 1. SPECIALIZE

There was a time when every strong lawyer stood a good chance of becoming partner. Today, it is becoming increasingly clear that many law firms—especially large ones—make partners only if there is a “business case” for it. What that means is that there has to be a specific need or demand for someone with a specific type of expertise. For litigators, securities and intellectual property are two areas that will likely remain hot for the next decade.

The specialty that you choose should fit in the firm where you want to practice. For example, certain types of work have been “priced out” of the large law firm market. Defending individual employment discrimination cases is an example. If you work at a small or midsize firm with lower hourly rates, you should look for opportunities to expand your work in areas where clients are looking for less-expensive alternatives.

One warning to consider: if you put all of your eggs in

one basket, you run the risk of rendering yourself useless if your area of expertise cools down. Thus, choose your specialty wisely and always have a Plan B.

## TIP | 2. CONSIDER GOVERNMENT WORK

Many law firm partners gained valuable expertise working for the government prior to entering private practice. Look for government opportunities in substantive areas where law firms have a need, such as antitrust enforcement, environmental regulations, or SEC work. Expertise in such areas could be perceived as valuable to law firms who have clients in need of advice and representation in those substantive fields.

## TIP | 3. BUSINESS DEVELOPMENT

It is never too soon for a lawyer (or future lawyer) to start thinking about business development. Every contact you make in college or law school is a potential client. When you work as an associate, you should establish a relationship with the junior in-house lawyers, who in five or ten years could be in a position of selecting outside legal counsel.

## TIP | 4. INTERNAL DEMAND

This is where the stereotypes about golfing and country clubs come in. For many partners, business comes not from clients, but from other partners. It is key that you try to develop personal and professional relationships with partners in other departments and offices. If they don't know who you are, or what you do, you won't be on their radar.

You should attend all firm retreats or workshops. This is often your best opportunity to meet other lawyers in your firm with whom you don't normally practice.

## TIP | 5. BE RESPONSIVE

When I began practicing twenty-five years ago, I wrote my briefs and letters by hand and gave my scribbles to a word processor, who would type up my notes and return them to me to proofread and edit. When the fax machine was invented, it was considered to be a major breakthrough in “instantaneous communication.” The cell phone soon followed. Then came email and, finally, the “crackberry,” which changed everything.

Clients and partners now expect—indeed, demand—that their lawyers and colleagues be available almost 24/7. That is clearly one of the sacrifices that law firm lawyers make, especially at larger firms. This does not mean that you have to check your BlackBerry every hour, but it does mean that you should check it at least once each evening and on each day of the weekend.

One of the reasons for being accessible is that “pitches” are often put together on short notice, and if you are not available to help, you might lose an opportunity to market yourself to colleagues and potential clients.

## TIP | 6. INTEGRITY IS EVERYTHING

If you are ever asked to do something that doesn't seem right, seek guidance from someone you trust. If you feel you have no one to turn to, you can always call The Bar Association of San Francisco's ethics hotline at 415.982.1600.

Never compromise your integrity for any case or any client.

## TIP | 7. WORK HARD

Some call it the “run for the roses.” Most law firms have a “minimum expectation” of 1,700–2,000 hours. Keep in mind that this is a “minimum” expectation and that

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your colleagues who desire to become partner are usually billing in excess of 2,000 hours. Key point: this does not mean that quantity trumps quality. Someone with 2,000 stellar hours stands a better chance of becoming partner than someone with 2,200 mediocre hours. The lawyer with 2,200 stellar hours usually trumps them both.

## TIP | 8. TAKE THE INITIATIVE

If you want to be a trial lawyer, don't wait for a trial to fall into your lap. Find the lawyers in your firm who try cases and let them know you want to help. If you hear of a case that is going to trial, let the partners know you are available to help and that no task is too small. Responding to an *in limine* motion, preparing a witness, or working on jury instructions—there are numerous discrete issues with which you can help.

Ditto with respect to any other substantive area in which you might want to work. If you are interested in alternative energy, patent prosecution, tax issues, or real estate litigation, the partners who do that work should know that. It is your responsibility to make sure that they *do* know.

Consider joining a BASF or Barristers Club section where you can develop knowledge in a practice area, meet colleagues in the field, and attend informative MCLE programs, now also available online.

## TIP | 9. TREAT EVERYONE WITH RESPECT

In many firms, it is nearly impossible to become partner if you do not treat others with respect. This might come as a surprise, given that so many existing partners are perceived to have significant room for improvement in this area. If you do not treat your clients, your colleagues, or your staff with respect at all times (especially when under pressure), your chances of achieving partnership will suffer.

With respect to staff, I have two specific suggestions: (1) give them plenty of notice that you have a filing; and (2) don't blame them for a blown deadline. It is your responsibility to make sure that your documents are prepared and filed on time.

## TIP | 10. IMPROVE YOUR SKILLS CONSTANTLY

There are many outstanding training programs sponsored by BASF and local specialty bar associations. You should attend as many as possible. As you progress in your career, consider serving as a panelist, writing an article, or involving yourself in bar association activities. This serves the dual purpose of reinforcing skills and marketing your expertise.

## CONCLUSION

There are significant rewards, responsibilities, and challenges for those who achieve the status of partner in a law firm. It is an objective that many associates will choose not to pursue. For those who do, following the ten tips outlined above will not only increase your chance of becoming partner, it will also prepare you for any alternative legal career you choose to pursue.

Good luck to you all, and follow your dreams.

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