

They ask the questions, you just nod

BY IAN HARVEY
For Law Times

The old world order is dead: the incoming Generation Y may not want to work at your firm unless you're willing to change.

It's a shocking reality the law profession is starting to wrestle with, and one all employment sectors have been discovering for the last few years.

Simply put, those bright-eyed graduating candidates have a view of work and work-life balance that throws out the old paradigm and substitutes a whole new way of thinking. They don't plan on staying long, maybe two or three years, they won't work within statically defined lines, and they see the workplace as a place to have fun and make money.

They don't work for someone, they work with someone; they collaborate.

It's a far cry from the top-down management world most senior partners in the profession grew up with when they passed the bar exam. That was a world where young lawyers joined large firms and parked their egos and their lives at the door, put their heads down, and expected to work 80 or more hours a week, and maybe, just maybe, dream of making partner in a decade or more.

At recruiting interviews, they nervously stammered out pre-scripted answers and prayed they didn't get it wrong.



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No more. Today's recruitment interviews are a whole new ball game.

"They come in and they ask the questions," chuckles Brian Grant, managing partner of Lerner LLP in Toronto. "That's absolutely the biggest change. They want to know how many hours they're expected to work — I don't recall that being asked once 10 years ago, even five years ago."

Indeed, back in the day it would have been impertinent and cause to strike the candidate's name from the list; today it's expected.

Candidates want to know how

much *pro bono* work the firm does; whether it encourages such work; if there are arrangements to work from home; what technology is at the disposal of the lawyers; how long it takes to make partner; and what the docketing and billing targets are, says Grant.

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But that's the way things are changing and it's not just in law; other professions, including retailers and service companies, are also finding they have to work harder to attract the brightest and best and retain them by going further than just offering a desk and a paycheck. For some it means bonuses in the form of iPods; incentives in the form of parties and social activities; freedom to define their own job description and hours of work; managing by results and not in the traditional, stand-over-their-desk-with-tapping toes if they drag themselves in a few minutes after 9 a.m.

In law, it's also meant a rethinking of how partnerships are created, says Grant. "The big change here is what we call the path to partnership," says Grant. "Instead of an associate being told if you work hard, 10 years from now you might be made a partner."

Instead, he says, the firm has created a category of non-equity partner at five years, which allows

participants to share in profitability of the firm and to participate in the business of the firm.

"There's also some cache for a young lawyer to be able to say they're a partner at Lerner," he says, adding it's also attractive to recruits who already have a couple of years under their belt and want to move to a bigger firm.

Technology is also an important factor in allowing those newly minted lawyers to better control their work cycle.

Whereas many senior lawyers still have an assistant to type their notes, write letters, and prepare documents, many younger lawyers are rolling up their sleeves themselves, seamlessly working with e-mail and document attachments regardless of where they are.

That new cohort of young lawyers are entering the profession already skilled in multi-tasking, juggling instant messages, e-mails, and other electronic communication, says Susan Wortzman at Wortzman Nickle Professional Corp. whose practice specializes in advising lawyers in the area of e-discovery and related aspects of technology such as identification, preservation, collection, processing, review, and production of electronically stored information.

"That virtual office gives them mobility and can save them time," she says.

The new generation are well versed in electronic libraries and online research, she says, and are able to work from almost anywhere they have an Internet connection.

It saves more than time stuck in traffic or on the GO train. It also cuts down their stress and allows them to manage their lives much more efficiently to the point where many work from home some days and others don't even live in the GTA anymore but still work for downtown clients.

And that's a big change, she says, even with the 30-and 40-something lawyers in the profession now who often still print off their e-mails, resist getting a BlackBerry, and continue to dictate notes to an assistant for transcription.

With the changing tools, attitudes are also changing. Only 50 per cent of respondents to the *Canadian Lawyer Associates* survey early this year on attitudes toward partnership say their goal is to become a partner in a law firm.

Some 300 respondents from across the country split 50-50 on prioritizing partnership as a career goal, though 57 per cent of males said they wanted to make partner while 59 per cent of females said they were unsure.

Recognizing that shift in career goals and the power of technology to free young lawyers from their offices is part of the new challenge in recruiting and retaining the best and brightest talent for firms in the next decade.

"But they really do want to learn and they want to know about the mentoring process which has got a lot of lip service from the [Law Society of Upper Canada] since the dawn of time," says Grant. **LT**