

# Fire and Ice

## An Associates' View of Partners

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Sometimes, we are the best of allies, selflessly and harmoniously working toward a common goal: victory and vindication for clients. And sometimes, we simply are not capable of communicating. Our relationship becomes distorted by disappointment and resentment.

We resolve our clients' conflicts by pitching their best case to a neutral arbiter. But there is no neutral arbiter in conflicts between associates and partners. And for associates, that translates into frustration. The partners hold all the cards. They can bawl us out, and we must not respond. When we make our best lame excuses, that just enrages the partner more. If there is a better way, few of us have found it.

We associates feel that the partners expect us to finish all our billable work on time, to meet all our billable goals for the year, to do pro bono work when we can, and to write an article or two in our "spare time." ("It's good for your career development, my dear.") As for a personal life—well, partners make us feel that we are ingrates when we even expect to have one. ("I don't care if it is your first wedding anniversary.")

And then they suggest we politic within the firm by sucking up to that old curmudgeon who has not given us a lick of work all year. He won't even acknowledge us in the halls, and we have no idea why. Did we do a lousy job on the last piece of work he gave us? Has he forgotten our names? Is our status beneath his notice? ("Hey, it's good for your in-firm client development; after

all, the partners are your clients. They are the ones who give you work. How do you expect them to do that if they don't know you? Get them to like you. Respect may follow.")

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So, partners, *now hear this*: This is what we associates need from you.

### What Associates Need

Respect our opinions. We know you think that we think we are much smarter than we are. Yes, we understand. You are at the top of your game. You have all that experience we don't have. You have lived and practiced law for decades. You know how to spin every case, command every deal, thread every tax loophole. You are why the clients pay the firm big bucks for associates like us to do the work. You hunt the game that feeds us. That's why many of us want to be just like you. Well, maybe not *just* like you.

But we have worked hard, too—building that impressive résumé that led you to hire us. We went to the good colleges, got the good grades, tackled the top-tier law schools that the firm insists on in its new hires. Our parents sacrificed to pay our tuition, or we are saddled with debts larger than the mortgage on your first home. Our academic records were good enough that



you hired us to practice alongside you. So why do you treat us as if we are imbeciles without a shred of common sense?

You never ask our opinions. Why can't you even consider that we might have something to offer? And when we build up the nerve to volunteer our opinions, you never tell us why our opinions don't meet your standards; instead, you treat us like imbeciles. Why humiliate us, instead of taking the opportunity to teach us?

Give us some responsibility. Let us manage a part of the project. If we do a good job, recognize our contribution. If we flub it, tell us why and give us another chance.

You tell us that it is your responsibility to make us better lawyers. Why don't you act as if you mean that? Why don't you see that you can't get good work if you destroy our self-confidence? If you took a little time to teach us instead of berating us, we might just learn something.

And everyone needs a little encouragement. We need a few minutes of your unbillable time in feedback that is positive. Find

something good to say. Consider it a long-term investment. The benefit will be to both of us.

Let's talk about what you do to our written work. To us, it looks as though you took a machete to the draft only because you had the power to do so. Why is there never an explanation? Why not make this a teaching experience for you and thus a learning experience for us? Why do you take offense if we dare to ask you why you have made a particular editorial decision?

Let's talk about our oral presentations. Did you know that small children sometimes stutter because their parents constantly correct them? Has it ever occurred to you that there may be more than one right way—your way—to deliver an argument or to conduct a negotiation? If you want it done exactly your way, just do it. If you want us to try, let us be ourselves. Give us ideas. Help us rehearse. But don't make us become you.

We want your advice. We want to follow your lead. Give it in a way that lets us be ourselves and doesn't undermine our confidence in ourselves.

Please be accessible. Don't ignore our emails. If we are bothering you, it is because we feel we need your input on something. Don't make us call out the bloodhounds to find you or treat us like pains in the neck because we aren't secure enough to handle some issue without consulting you.

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## Emulation and Learning

You may think it's all about us. Well, in some ways, it is. But it's really no different than it was years ago for you. Like you, we associates are ambitious. Like you, we want to be partners in a great firm. Like you, we want to be great rainmakers, to have a big book of business when we grow up. And we want to develop your legal skills: solver of client problems, tough negotiator, eloquent lawyer, quick on your feet. We're counting on you to help us get there. You should consider our desire to emulate you and to learn from you flattering, not a chore.

We need to see you in action, so take us along. We need to understand what works and what doesn't, so talk to us. Explain your strategy. Tell us what you expect to happen, how you expect it to happen, and why.

Tell us your war stories: that killer argument, that witness who surprised you, that opponent who pulled the rug out from under you, the negotiation you saved when all was lost. Tell us just how you became the master you are. Tell us how we might make use of our own styles and temperaments to become more like you. You'll never have as rapt or adoring an audience if you take the time to do that and treat us with a modicum of respect as you do it. And we'll even pick up the lunch tab now and then.

Every once in a while, you might ask what we think. Every once in a while, we might have an insight you did not think of. Even a blind squirrel sometimes finds an acorn, they say.

Let us meet your professional connections, your clients, and your contacts in the judiciary. Invite us to attend professional events with you. It will be many a year before we can steal them from you. And if you treat us decently, why would we want to? We want to meet the general counsel who makes you jump. We want to see firsthand the operations that we're fighting for. We'd love to join you for drinks with your college buddy who is now CEO of Apple. We'll listen quietly, and we'll keep it all confidential. Promise.

Look at it this way: Introducing us to the client says that your team is strong and dedicated. It says that you are confident about your position and the quality of those who work with and for you. It says that the client can be assured of continuity. It says that you are not afraid of losing control. And it prepares both client and associate for the day when you want to throttle back. Don't leave us with the impression that you are afraid we will eclipse your skills any time soon. You always tell us that we're

on the same team. Start acting like it. You might find we will be grateful and won't want to kick you out of the firm when we are in charge.

Rather than gloat to your significant other about your latest big win—reminding us that you have a personal life and we don't—how about taking us out for a drink to tell us about it. Tell us about that continuing legal education program you think we should attend. Tell us about funding if it is available. Make us part of your networking. Recommend us for that board seat you are too busy to take on. Please don't just keep us in the kitchen doing the cooking. Invite us to the table every now and then.

We also think we are entitled to some personal life. No, let me say it differently: We *need* a personal life to be effective lawyers. If we have finished drafting the jury instructions you need next week, don't begrudge us going out to celebrate a significant other's birthday. Don't presume us to be there just for our face time. A vacation now and then is necessary for our mental health. When you set our billable-hour metrics, you need to make allowances for personal time and vacation. Burning out isn't good for either of us.

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We work hard; if we didn't, you would have fired us by now. We work those countless hours and make those endless sacrifices to keep you and our clients happy. We pull all-nighters; we edit until our eyes, fingers, and computer keyboards no longer function; we travel wherever the work takes us. We consistently try to put ourselves out there. We try to make contacts and develop our networks. If you ask, we'll write that article that you will put your name on; we'll join that bar association if that is what you want.

You want us to be dedicated to you, to your clients, and to our careers. And we are. So make the extra effort to help us become better lawyers and give us the benefit of the doubt when we make a mistake. It will make life a lot easier for us and for you. ■