

Law office retreats that really add value

By **Emily Morrow**



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Smith & Same, a hypothetical general practice law firm with five partners and a total of 15 lawyers, has been in existence for 30 years serving clients throughout its regional area.

John Same, the managing partner, makes many of the firm's day-to-day decisions, but significant decisions are made by all of the partners. Three partners are under the age of 50 and two are over the age of 60.

Some years ago, John contacted me and said: "Although we are an established firm, we are beginning to lose market share. Our lawyers used to work very collaboratively, whereas now the partners work more like solo practitioners with individual teams. Further, our younger lawyers seem somewhat less engaged, our retention rate is dropping and we have had some difficulty hiring the best lawyers. Finally, because two of our partners are over age 60, we need to do some succession planning. We've discussed these issues at partners' meetings, but never make much progress. What would you suggest?"

I asked John whether the firm had ever held a retreat and he said: "No, but we have considered doing so. The problem is that we don't know how to go about having a retreat that will really add value." Hence this article.

The concept

John identified four issues the firm needed to address:

- better differentiating itself from competitors to increase its market share of work;
- improving collaboration between lawyers to enhance productivity, cross marketing and other benefits;
- hiring, cultivating and retaining the best lawyers in a competitive marketplace; and
- engaging in succession planning to retain/grow its client base when senior lawyers leave the practice.

Because these were discrete but overlapping topics, I suggested the firm could begin to address all four issues during a single off-site retreat. It would be an ambitious but manageable agenda. John was interested and we began to drill down into the process.

The planning

Planning a highly successful law office retreat is like planning a classical ballet performance. You need to know what you're doing, carefully choreograph it while retaining some flexibility, and then deliver it seemingly effortlessly. This is true whether the retreat is for a law firm, a practice group, an in-house counsel's office or, for that matter, any group of professionals. For the purposes of this article,

however, I will refer to a law firm, but the ideas are more generally applicable.

Although every group of lawyers practising together is unique and every retreat is unique, nevertheless I have found the following planning process can work well:

Partner interviews

If possible, I like to have individual, confidential discussions with each partner (or other senior member of the group), before planning and facilitating a retreat. It gives me a sense of everyone's "take" on reality, the firm's culture, interpersonal dynamics, management preferences and the like. These conversations inform the recommendations I make, how I facilitate the retreat and give me more credibility with the key players.

Facilitated or not?

If a firm has a few specific and concrete issues it wants to consider (such as whether to move or renovate premises, make some new partners, open up a satellite office etc), then the discussion can likely be handled well without a third-party facilitator. However, if the objective is to articulate and discuss longer range, more amorphous, strategic, challenging (or divisive) issues, then engaging a professional facilitator will be advantageous. Skilled facilitators can pose thorny issues neutrally, engage full participation, diffuse conflict, get all participants to do their best thinking, keep discussions focused and bring closure to matters. Further, it's hard for a firm member to both facilitate and participate in a robust discussion.

The "dramatis personae"

John had assumed only partners would attend the retreat, but I suggested the firm consider inviting its three senior associates and two senior solicitors to attend. Doing so would more fully engage these "next generation" lawyers in planning the firm's future and envisaging their role in the process. Because the firm had never included non-partners in such discussions, the decision was made that I would raise the issue with each partner when I spoke with them individually. All of the partners subsequently agreed the senior solicitors and associates would be invited to attend the retreat.

The timing and venue

I suggested the retreat be scheduled during the work week and that a full day be set aside for it. Ideally, the venue

should be an attractive, restful and contemplative off-site setting with great food. We all do better thinking in beautiful places, eating great food and when we are away from the harpies of daily life.

The agenda

Having a written and somewhat detailed agenda circulated to participants before the retreat ensures better discussion outcomes. I often recommend including the following in the agenda:

- 1 **State of the firm presentation.** Having the managing partner, CEO or firm administrator give a general overview of the “state of the firm”, (summarising the firm’s financial performance, personnel and other issues), sets the stage well for the retreat discussions.
- 2 **Outcomes for the day.** This consists of a brief facilitated discussion about what outcomes the group might ideally seek to achieve during the retreat.
- 3 **Teamwork discussion.** Sometimes it can be helpful to have a short facilitated discussion about optimal collaboration and its role in strategic planning.
- 4 **Firm goals.** This usually is a facilitated discussion to articulate the firm’s strategic goals in crisp, clear wording that the group agrees upon. Typically, there will be one or two “stretch goals” and these will inform the rest of the discussion during the day. Well-crafted goals focus on achieving a particular strategic outcome with both qualitative and quantitative benchmarks such as “By ____, the firm will diversify its practice so that __% of firm annual revenue will be generated from each of the following practice areas (each of which practice groups will be recognised as a leader in its market area):__.”
- 5 **SNAFUs.** A “SNAFU” is an acronym from the book, *Catch 22*, by Joseph Heller, and means “Situation Normal, All F***d Up”. There will always be SNAFU’s that may make it difficult for a firm to achieve its strategic goals. Identifying them at the outset makes it easier to avoid or address them.
- 6 **Implementation.** The remainder of the discussion tends to focus on the why, what, how, who and when of implementing decisions made at the retreat. During the retreat, the objective should be to drill down sufficiently into the details of implementation so that everyone leaves the retreat having a clear idea of what

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needs to be done and his/her role in doing it. For example, outcomes could include a commitment by each attendee to develop a personal practice development plan by a specified date. Also, I encourage the group to schedule several follow-up discussions on specific topics so that momentum will be maintained after the retreat. Although good intentions are admirable, without disciplined follow up, they are of little utility. It’s critical not to fall into that trap.

- 7 **Blue sky discussion.** A “blue sky discussion” at the end of the retreat consists of having each participant mention one idea they would like to see the firm implement sooner rather than later. The ground rules are that everyone listens to each other, there are no questions or comments allowed, and any and all ideas are okay to suggest. Although the ideas are recorded, no immediate action is taken on them, creating some interesting food for future thought.
- 8 **Closing discussion.** I often encourage participants to discuss what they think worked or didn’t work well in the retreat and what changes might ideally be made in future retreats. Further, I have the group review the outcomes it initially articulated for the retreat and evaluate to what extent these outcomes were actually achieved. We also discuss what, if any, issues remain unaddressed that should be considered in later discussions.

The delivery

I encourage everyone to arrive at least 15 minutes before the retreat start time (for some informal discussion), but to plan to start the discussion on time. It works well to get to the point of the “implementation” portion of the agenda before lunch, including a midmorning break of about 15 minutes.

The morning session tends to be more big picture and

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conceptual, whereas the afternoon session focuses on the nitty gritty of implementation. It's helpful to intentionally drill down into the details and hold the group accountable for certain outcomes. Further it's important to ensure that everyone actively participates (including the less senior members of the firm), to get buy-in. Many hands do make light work.

I tend to talk quite directly about the need to implement retreat decisions in a timely manner. No one gets off the hook easily. This part of the discussion can be quite "pointy" and concrete. That said, the blue sky session and reflection discussion are a great way to segue from concrete implementation back to conceptual thinking at the end of the day.

A skilled facilitator will adroitly walk a fine line between being directive while flexible, keeping the discussion on track while encouraging important (and unscripted) digressions and asking carefully crafted questions to stimulate discussion. You need to know when to let a discussion roam around and when to pull the loose ends together so the group can use its precious retreat time optimally. Facilitation is more of an art than a science and I tend to rely on instinct borne of having facilitated many law firm retreats.

Finally, it's a great idea to have everyone stay for a drink and possibly dinner at the end of the day. A little bit of group bonding goes a long way.

The follow up

Follow up is where the "rubber hits the road" in terms of differentiating a great retreat from an adequate one. Ideally, everyone should come out of the day feeling energised, seeing old stuff in new ways, and having a clear sense of direction and a strong commitment to achieving compelling goals.

As part of the follow up, it's critical to have someone take notes during the retreat and prepare and circulate minutes to all participants as soon as possible. During the course of a retreat, I often make a lot of notes on whiteboards, and these can be incorporated into the meeting minutes.

Finally, because I encourage the partners to let everyone in the firm know that the retreat is going to be held, there is a lot of interest in what occurred at it. Accordingly, it's a good idea either to circulate a firm wide email or have a discussion summarising what occurred and the retreat outcomes. You don't have to go into exhaustive detail, but you do need to make sure that everybody is on board with the programme. I'm a strong believer in transparency within law firms, consistent with maintaining confidentiality where appropriate.

Smith & Same engaged me to facilitate a day long off-site retreat in which we focused on the issues John had articulated. We utilised a format similar to that described in this article and the outcomes resulted in the firm making some significant mid-course changes. Several years later, the firm's revenues had increased by about 20% and it had hired three very capable young lawyers

while increasing its retention rate for new and existing lawyers. Morale seems to have improved and partners and non-partners reported there was more collaboration in terms of marketing and doing work. The succession planning process is still a bit of a work in progress, but at least people are now discussing the issue more openly and with less pent up frustration and anxiety. Two years after the initial retreat, I was invited to facilitate a follow-up retreat, which was helpful in progressing the initial discussion and identifying new issues for consideration by the firm. So far so good....

As with many things in life, careful planning really does make a difference. This is certainly true of law office retreats. They take some time and effort, but if you get it right, the benefits will definitely outweigh the costs. ■

Emily Morrow was a lawyer and senior partner with a large firm in Vermont, where she built a trusts, estates and tax practice. Having lived and worked in Sydney and Vermont, Emily now resides in Auckland and provides tailored consulting services for lawyers, barristers, in-house counsel, law firms and barristers' chambers focusing on non-technical skills that correlate with professional success; business development, communication, delegation, self presentation, leadership, team building/management and the like. She can be reached at www.emilymorrow.com.

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