

T^{Legal} Transitions

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Jim Cade, partner
Ogilvy Renault LLP, Toronto

The long hello

The lengthy transition to firm partnership today is more gradual, and more associate-friendly, than ever before.

By Bev Cline

The graduation from associate to partner marks the end of a lengthy journey by young law firm lawyers. It's taken years of hard work — undergraduate degree, law school, articling, and the long hours of an associate — before the big announcement comes down. While more lawyers these days opt for alternative paths to full equity partnership, hundreds of lawyers annually still opt to grab the traditional brass ring when it comes around.

Certainly, attaining partnership helps with new client development, confirms Patrick Ouellet, a partner with Montreal-based Woods LLP. "Becoming a partner gained me almost instant credibility with new clients and made it much easier to develop new business."

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— Patrick Ouellet

But newly minted partners often find the transition from associate to partner is a gradual, multi-year process. Making partner is not the finish line, says Adam Lepofsky, founder and president of legal recruitment company RainMaker Group in Toronto. "You still have to step up to the plate and make the same high level of contribution to the firm that got you to the partner status in the first place," he says.

Gradual process

There's no magical turning point on the path from associate to partner, says Jim Cade, National Chair of Business Law with Ogilvy Renault LLP in Toronto. The process really starts the moment the associate walks in the door to practise in the firm. "You begin from the position that hopefully, one day, that new associate will be a partner of yours."

"There are pretty high expectations in our firm for senior associates," adds Wanda Rumball, a partner with Blake, Cassels & Graydon LLP in Calgary. "You're expected to become more and more involved in client development, marketing, training and delegation to junior lawyers during each year you advance at the firm. There's no real sense of shock in your routine after you become a partner."

Lepofsky agrees: "The difference is that the expectations on the part of the people who are now your partners are going to be even higher." It's true that partners take on more administrative tasks, including committee work and mentoring. External liaison and networking on behalf of the firm, including speaking and writing engagements, chew up the hours too.

But Rumball points out that as a partner, "you can delegate more. Therefore, you can keep your days fairly consistent. You often work as long as you did when you were an associate, but there's a real upside — you are now more involved in decision-making at the firm. You are consulted about the current and future direction of the firm."



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A seat at the table

For many new partners, that sense of ownership is part of what makes the transition to partnership so rewarding, says Marc-Antoine Chiasson, a new partner with McInnes Cooper in Moncton. “It’s all about ownership and having a ‘voice’ within the firm,” he says.

“What’s really changed is that now, I’m a business owner,” Chiasson says. “I’m now part of the club and have a seat at the table where decisions are made — although as a new partner, I have a lot of listening to do as to how the firm actually works. [And] as an owner, I also have an obligation to the well-being of firm’s employees.”

Ogilvy Renault helps new partners adjust to this new financial reality, Cade says. “For example, because the lawyer is now an owner, as opposed to being an employee, this means that his or her life changes from an income tax perspective,” he notes. “So we have one of the managing partners and senior tax lawyers discuss the implications of this change with each new partner.”

As a partner in a regional law firm — McInnes Cooper functions as a single partnership throughout its six Atlantic Canada offices — Chiasson also has a



**Wanda Rumball, partner
Blake, Cassels & Greydon LLP,
Calgary**

greater perspective on the whole firm’s business, where the firm fits into the market across Atlantic Canada and its place in the national and international markets.”

Open communication

But the biggest reason why the partnership transition is easier might be that firms are doing a much better job of communicating to associates not just the criteria and expectations, but also the chances, of a partnership invitation.

“We’ve made a real commitment to advise associates earlier on about whether they’re on the partnership track than we previously did. It’s more open communication,”

says Michael Slan, a partner and member of the executive committee at midsize Toronto law firm Fogler Rubinoff LLP.

“In the past, I think that associates today were not sure what it took to become a partner at our firm — whether, for example, rainmaking was the brass ring,” says Slan. “These days, we have a much clearer and specific partnership policy that is communicated to associates through formal evaluation reviews. The associates understand where they are in the transition process and what it will take for them to become a partner.”

Cade thinks it’s incumbent on law firms to be upfront with associates about their future. “We have an obligation to our associates to talk with them on a regular basis, to communicate with them through reviews as to where we think they are, what our constructive concerns are, and how to fix those concerns — basically, to help them jump up the ladder and make a smooth transition on each step.”

“Most of the associates do pretty well making the required transitions throughout their associate years,” he adds. “When they do become partners, they know what to expect and how to continue to succeed.” ●

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Devenir associé : tout un continuum!

La longue transition du statut d’avocat salarié à celui d’associé est maintenant plus graduelle et conviviale que jamais.

La promotion qui conduit de la position d’avocat salarié à celle d’associé consiste en l’aboutissement d’un long parcours pour les jeunes avocats en cabinet.

Pour Patrick Ouellet, un associé du cabinet montréalais Woods LLP, « l’accession au statut d’associé aide à développer une nouvelle clientèle. (...) Mon statut d’associé a facilité ce développement et m’a permis d’avoir une crédibilité presque instantanée ».

Mais selon Jim Cade, président national du groupe de pratique du droit des affaires chez Ogilvy Renault LLP, « la transition du stade d’avocat salarié à associé n’a rien de magique ».

« À chaque année d’avancement, on

s’attend déjà à ce que l’avocat salarié soit de plus en plus impliqué dans le développement de la clientèle, le marketing, la formation et qu’il délègue des tâches aux avocats qui ont moins d’expérience qu’eux », ajoute Wanda Rumball, une associée chez Blake, Cassels & Graydon LLP, à Calgary.

Un véritable droit de parole

Wanda Rumball fait également remarquer « qu’un associé peut aussi déléguer davantage » et qu’« on le consulte dorénavant sur l’orientation actuelle et future du cabinet ».

Pour bien des nouveaux associés, le fait d’avoir une « voix » au sein du cabinet

d’avocats et le sentiment de propriété sont les deux éléments qui rendent leur promotion tellement satisfaisante », estime Marc-Antoine Chiasson, un nouvel associé du cabinet McInnes Cooper à Moncton.

La transition d’avocat salarié à associé semble désormais plus aisée que par le passé et ceci s’expliquerait par une meilleure communication aux avocats, par les cabinets, des critères d’accès à leur promotion, mais aussi des attentes et de leurs chances d’obtenir une invitation à devenir associé.

Avec les politiques d’admission énoncées ci-dessus; des attentes claires; un élargissement progressif des responsabilités des avocats salariés; beaucoup de formation et d’encadrement, la transition vers le statut d’associé n’aura jamais été aussi facile. Le vieux dicton selon lequel ce qui importe n’est pas la destination, mais le parcours, est tout à fait à-propos ici. ●

— *Jasmina El Jamaï*