

Professional Development for Lawyers

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Executive summary

‘THERE IS no end to education. It is not that you read a book, pass an examination, and finish with education. The whole of life, from the moment you are born to the moment you die, is a process of learning.’
Jiddu Krishnamurti.

Law firms need to equip their lawyers with the right skills, knowledge, and attitudes to survive and thrive in an increasingly competitive legal market. Good legal technical skills are no longer enough to ensure success or to win and retain clients against a backdrop of global uncertainty and economic recession.

This report focuses on professional development for lawyers at a critical and fast changing time for the profession. Lawyers need to be ‘fit for purpose’ for all the challenges they and their clients face. Growing competition is creating a substantial change in professional development, and it is also inspiring more creative and innovative approaches to it.

Professional development for lawyers covers the skills and knowledge needed to succeed as a lawyer, both to meet clients’ and their firm’s needs, and to enable lawyers to achieve a successful career. It includes all types of facilitated learning from law school, conferences, programmes for different levels of qualification, coaching, mentoring, and informal learning, while working and in everyday life.

Compulsory professional development (CPD) around the world is being reviewed and updated to ensure that lawyers possess

the new ‘world order’ of skills to ensure they are the trusted business advisors that they need and want to be, putting clients at the heart of their approach, and providing added value and exemplary customer service.

Emerging themes explored in this report are: ‘more for less and with less’, the prioritisation of target audience needs, globalisation, the development of lawyers into well rounded trusted business advisors with legal expertise, client centricity, real time case study experiential learning, multi benefit learning, and the sharing of learning to realise cost and time efficiencies. Other strong themes are the growth of online methodologies with the advent of the digital revolution, less external and more internal design and delivery, support to enable fee earning at an earlier stage in a career, and the importance of culture and leadership in engaging and motivating learning.

This report is comprised of two parts. Part One discusses key issues and trends as regards professional development for lawyers, including innovative approaches and good practice, along with interviews with lawyers and experts working with law firms. Part Two contains detailed case studies with firms and select interviews on key emerging topics.

Chapter 1 sets the scene for professional development in the law and examines how it needs to evolve to support a fast changing legal market. It discusses how legislation and compliance is being reviewed around the world to ensure that lawyers are fit for purpose to meet the demanding needs of

changing legal markets. It also shares the market context as a backdrop to professional development and the rest of the report.

Chapter 2 explores the key trends affecting professional development, including more multi-benefit learning, focus on selective priority groups to receive training, use of shorter and more real time learning modules with practical case studies and experiential learning, the inclusion of more training to equip lawyers with commercial and business nous, client and customer relationship excellence, and project management.

Chapter 3 examines the professional development needs of different target audiences in a firm. The stages of a lawyer's professional development needs to include graduates, trainees, associates, and partners. The chapter also discusses professional development in relation to women and the digital generation – Generation Y and the Millennials – and skilling up lawyers to fee earn at an earlier point than in the past, and helping them to possess business and management nous, as well as good interpersonal skills.

Chapter 4 investigates how to engage lawyers in professional development and how to make professional development a priority for them. It discusses what impact the law firm model has on interest in and willingness to attend professional development, how the lawyer mindset and personality needs to be taken into account when designing and communicating professional development initiatives, the role that professional development plays in career development and motivation, the stakeholders in professional development, and accountability for creating compelling internal communication about the importance of professional development.

Chapter 5 explores the types of professional development delivery provided

by law firms including trainee development, associate programmes, and talent management programmes. The growing use of external and internal coaching to maximise productivity and learning is reviewed, allied with the growing use of cost effective informal learning. Professional development by senior lawyers who motivate less experienced lawyers includes mentoring, supervision, and the sharing of knowledge and experience through taster sessions. The cost effective and growing role of secondments in the professional development mix is also examined. This is a popular and increasingly common way to learn which supports clients with free resources and builds client relationships. Action learning sets or group coaching, LinkedIn and Twitter, and the underexploited role of the intranet in professional development is examined.

Chapter 6 looks at the skills that professional development helps lawyers to acquire. Traditional skills explored include: business development, time management, negotiation, critical thinking, writing, and presenting. The emerging skills covered include: client centricity, leadership, business and management, diversity and inclusion awareness, branding, reputation management, emotional intelligence, and people management. The emerging influence of neuroscience on learning, technology as an enabler, and social media literacy are also explored.

Chapter 7 examines return on investment (ROI) and how to justify professional development and its benefits. Linking individual goals with firm goals is examined along with how human capital policies play an important role in its effectiveness, the importance of linking human capital and financial data, and how the quality of professional development can be a useful tool for attracting and retaining talent.

Chapter 8 compares and contrasts international and local approaches to professional development and looks at the merits of bespoke versus generic trans-global programmes. The chapter discusses how economies of scale can be realised – for example via the use of online professional development – and how diversity, inclusion, and cultural issues affect the design and delivery of professional development.

Chapter 9 shares views ‘from the horse’s mouth’ of how professional development can help develop lawyers to be fit for purpose and how they can overcome the practical barriers and emotional resistance to change. Lawyers, specialists in their field, and learning and development professionals share their views on how to help the profession evolve.

Part Two comprises best practice case studies from a range of firms, including magic circle and smaller firms, and experts working with law firms. They share information on how firms of different sizes, and with different international reach, have created and delivered professional development programmes to help them develop lawyers with the skills needed to have a strong and sustainable competitive advantage. Part Two presents case studies from firms who have successfully developed effective strategies, tools and tactics towards professional development. These include Baker & Mackenzie’s ‘Pitching to win’ programme, DLA Piper’s experiential negotiation skills programme for Finance & Projects, Hogan Lovell’s fast track ‘Momentum’ career development programme for senior associates, Latham & Watkins ‘On track’ programme for junior partners, Simmons & Simmons MBA for trainees, Carey Olsen’s approach to HR, learning and development and change, and an interview with innovative firm

Marque Lawyers. Two of the case studies share interviews with experts on helping the legal market to acquire emerging and vital competencies in pricing and customer relationship management. Richard Burcher of Validatum shares his work with law firms to change the entrenched mind-set about pricing, and Gina Connell at LexisNexis shares how customer relationship management (CRM) helps law firms get closer to clients.

About the author

RACHEL BRUSHFIELD is founder of EnergiseLegal and Energise – The Talent Liberation Company. She has previously written *Talent Management for Lawyers: A Hands-On Guide* (Ark Group, London, 2012), as well as over 18 articles for the legal profession, including for *Managing Partner* magazine. She is a certified neuro linguistic programming (NLP) coach with a background in marketing, brand strategy, and communication. Rachel works with clients such as Mayer Brown, Field Fisher Waterhouse, and Clifford Chance, and Energise is an official partner of *The Telegraph* Media Group. She is passionate about liberating talent, helping professionals to realise their full potential, and working with firms and companies to enable this to happen. Rachel is the creator of business development and career clarity content to support people to skill-up time and cost effectively, and achieve both career fulfilment and business success. For more information, visit: www.energiselegal.com.

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