

## Some Hard Truths About Law Firm Culture

By Jordan Furlong

An employee of your law firm approaches their supervisor and asks for a few days off to deal with an unspecified personal matter. They promise to return to work next Monday. How does the supervisor respond?

Your answer to that question, and the reasoning by which you reach it, will illuminate your law firm's culture. And by "culture," I don't mean the self-admiring corporate puffery on your website. I mean the actual, on-the-ground reality of "what it's really like to work here." You need to know what that is, in order to lead your law firm through the "Great Resignation" and the even more challenging times that will follow.

### What Actually Is Law Firm Culture?

Most law firm leaders think of "culture" as some ephemeral quality that invisibly shapes and defines the firm's positive and unique professional environment. They have it almost exactly backwards. Culture is not something you artfully design and direct. Culture is an *outcome*. It's a continuous, everyday reality check on what kind of firm you're actually running.

A law firm's culture is the daily manifestation of the firm's explicit performance expectations and its implicit behavioral norms — what is rewarded, what is tolerated, what is overlooked, and what is punished. Add up all these actions and inactions, and you'll get a pretty accurate picture of your firm's culture. Just be aware that that picture might be jarringly dissimilar to the one you imagine.

Throughout all the pandemic disruption of law offices, I've kept hearing managing partners and senior lawyers say they want people back in the office full-time because hybrid and work-from-home arrangements are damaging the firm's culture. (Nobody else in the firm seems to share that worry, interestingly.)

Whenever I hear these concerns, I've been tempted to ask: Doesn't the fact that most of your people don't *want* to come back to the office tell you something about the culture you're trying so hard to protect? What do you think your culture *is*, exactly?

The problem is that a law firm's culture is a multi-faceted entity that tells a different story depending on who's looking at it. You need to gather as many people's perspectives as you can, in order to see your culture for what it really is. If you ask ten

partners, ten associates, and ten staff members what your firm's culture is, you'll get at least three different sets of answers. None of them will be entirely accurate.

But as a general rule, the lower someone sits on the org chart, the more accurate is their perception of the firm's culture. Feel free to ask the partners at your next retreat to wax rhapsodic about how wonderful it is to work there. But if you want to get closer to the truth, go ask the law clerks, the admin assistants, the marketing personnel, the IT folks, and the person who cleans up the mess in the kitchen every morning.

Although of course, these folks aren't going to tell you what they *really* think of the culture. They'll tell you what they believe you want to hear, because in most law firms, speaking unpleasant truths to powerful people is a short road to a layoff notice. That's part of law firm culture, too.

### **Where Are Your Law Firm's Values?**

If culture is an outcome, then what's the input? What brings about the evolution and development of a law firm's culture?

A firm's culture — those performance expectations and behavioral norms — is ultimately driven by the *values* of the firm: the truest principles and desired outcomes that guide decision-making and govern the resolution of conflicts over priorities. Those values, in turn, are established and communicated through the *actions* of the firm — what its most important actors do (or choose not to do) every day.

Your firm might have a "Statement of Values" on your website and in your strategic plan. But if it says one thing and your actions say another, then your Statement of Values is an elaborate work of self-promoting fiction, and its inconsistency with reality will be interpreted by your people as either cluelessness or hypocrisy on your part. Your firm's actions *are* your firm's values. Full stop.

If you want to know what your firm's values are, reverse-engineer your culture. For example, you might suppose that the hypothetical supervisor above would inquire kindly into the employee's troubles, in order to both assess the request for leave and show compassion for a person in distress.

If so, you might be surprised when the supervisor, anticipating a senior partner yelling at her for even raising the possibility of a temporary leave of absence, flatly denies the employee's request. That's your culture. "Low-status workers aren't worth advocating for" is the underlying value. "Partners can yell at subordinates without consequence" is another.

Or you might suppose that you have a “culture of excellence,” whereby the highest quality of client experience is the firm’s top priority. (Don’t smirk. I plugged “law firm” and “culture of excellence” into Google and got 19 pages full of links to the phrase on lawyer websites. I’ll wager it shows up somewhere on yours, too.)

Yet you also know that some partners give their clients subpar work and indifferent service, and that this goes unchallenged, because respecting the autonomy of partners is more important than pleasing every client. That’s your culture. “Partners are sovereign entities who go unchallenged in their realms” is the underlying value.

Another way to identify a firm’s values is to study what the firm measures and acts upon. Every law firm I’ve ever encountered measures, to the last minute, time spent and billed to clients, and to the last dollar, money collected from clients and distributed to partners.

But no law firm I’ve encountered maintains so much as an Excel spreadsheet tracking clients’ outcomes and their satisfaction with those outcomes. What does that tell you about what law firms value?

### **How Do You Align Values and Culture?**

If the foregoing critique of law firm culture strikes a little too close to home, or if you genuinely want to create a culture that expresses the positive values you admire, then I have three suggestions.

1. Understand and accept your firm’s culture for what it is, not what you wish it were. Ask current and former employees to anonymously describe your firm’s unwritten rules and latent values, its inconsistencies and disconnects, its paths to advancement or out the door. Be ready for conflicting assessments, and look for the truth somewhere between the cynicism and the wishful thinking. When in doubt, assume that the higher the pay grade, the rosier the glasses through which the firm is being viewed.

2. Gather your leaders and decide what you truly care about. Identify and prioritize your firm’s real values. Run through conflict scenarios: Will you *actually* fire the stapler-throwing rainmaker? Will you *actually* put an associate’s well-being ahead of a client’s demand? If not, don’t mislead your people by pretending otherwise. If so, be prepared for the consequences of hard choices. But also be ready to reap the rewards of a truly differentiated culture unlike any other law firm’s.

3. Begin the long and arduous task of realigning your actions and choices with your values, and the even longer task of reshaping your culture to match. Along a parallel track, strive to regain your employees' trust when it comes to culture. Some of them really believed what you said in your Values Statement before they arrived, and they now feel baited-and-switched. They've experienced a lot of "One set of rules for them, another set for us" over the years, and that will take a long time to unwind.

Above all, understand that your firm's culture is the result of *choices* that you and the firm's other leaders have been making every day for years. Culture develops when leaders decide consistently, over the long term, to prioritize some values over others and subjugate some interests to others. Your people watch your actions and figure out your values; they operate according to your values and thereby create your culture.

So don't talk about your culture or tell people your values. *Show* them your choices; communicate your values through your actions. That's how everyone in your firm will know what you actually care about. And that's how, if you make the right choices, you can build a coherent, resilient, and positive law firm culture.

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