

Strategies for a Successful Legal Succession Plan

Part I: Cross-Training

By Princeton Legal Search Group, LLC

Succession planning can be exact and precise, or it can be open and loosely interpreted. The format will depend in part on your organization's culture and resources. Below are suggestions on how to supplement what you may be doing or assist in building a more formal process.

The first step is to analyze the competencies and traits needed for running your legal department today and, typically, 5 to 10 years out. When you compare those findings, the gap between them becomes the basis for creating a succession plan. Or, you may need to start by asking what you need to run your legal organization effectively today and whether there are gaps between that and your current legal team. We find that organizations are in these situations pending a merger or acquisition or during rapid organic growth.

Regardless of which economic force is behind the trend, a gap exists. That gap may be addressed by using these methodologies:

- **Cross-training programs**
- **Stretch assignments**
- **Special projects**
- **Developmental opportunities (internal or external)**

Cross-Training

If you are looking for a highly fruitful way to create succession plan threads or tenets in your legal department, cross-training is an excellent route.

It broadens skills by teaching professionals how to handle someone else's responsibilities, temporarily or permanently. Contrary to the experience during traditional law firm training, in-house lawyers can be trained in all or part of a colleague's tasks or in other competencies, possibly outside the legal department.

Think about when you were hired by a law firm and had no practice area concentration; you learned at least one practice area in depth and possibly others, too. In-house legal departments do not follow the model where a partner may have chosen you based on his or her need, rather

than based on your interest or practice area. We know many lawyers who listed practice area interests when hired by a law firm, and never were given the opportunity to acquire those competencies. Generally speaking, in-house legal departments will hire for a particular practice area expertise, but there is a far greater chance to develop additional practice areas in-house than in a law firm.

Formal and informal cross-training programs may be created so legal professionals can develop the critical competencies you have identified as lacking, now or down the road. Legal department cross-training may have an additional upside; it may also be a means toward creating pathways to the general counsel role.

What are the core practice areas necessary to be a successful GC in your organization? Can cross-training programs be formulated to develop such competencies or practice areas? Are you open to grooming a legal professional who may need to leave your organization if he or she is successful, and the GC role is occupied by you or another professional has been identified as the successor?

Cross-training also protects your ability to manage your department's functions should someone leave. Having more than one individual trained in a practice area, or with knowledge of the legal operation processes, will minimize disruption and enhance your team's performance.

In addition, cross-training may reduce turnover and provide opportunities for individuals to grow their careers in place, especially as there are only so many GC opportunities in a given market. We have spoken with many GCs who were able to enhance their value within an organization by adding skills, competencies and practice areas through successful cross-training programs in the legal department and through business skill development outside of it.

A novel cross-training and stretch assignment might be a reverse secondment. We have seen organizations send their attorneys to their closely affiliated law firms for in-depth training in a particular practice area. An example is an attorney who was loaned to the law firm, with which the company had a long-term and comprehensive relationship, to develop a securities practice area expertise. The company had a need, the law firm had the expertise and there was an opportunity for a lawyer to grow professionally. In this case, the law firm was an additional asset to the client and provided the training and stretch experience.

In Summary

Cross-training can be used to retain legal professionals, develop new practice area expertise, provide a pathway to the GC role, or serve as a foundation for career paths beyond the legal department.

It works well in large, well-established legal departments, generally with generous training budgets. That may not be your current situation, and the next chapter outlines other steps you can take that may not require formal approval or programs.

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