

Ask Them Why They Stay

Exit interviews reveal why people leave their jobs; stay interviews identify why they stay—which may be even more important for retaining your professionals during the Great Resignation.

As part of the hiring process, most employers focus on assessing how well a candidate fits with the firm's culture and mission. Once hired, performance reviews focus on how well they're doing and how they can improve, but not on how the organization is meeting the individual's needs.

A stay interview fills that gap. It's a one-on-one meeting with your team members separate and apart from performance reviews to talk about what works and what doesn't work in their current positions.

Money isn't everything

Biglaw is throwing money around in the hopes of attracting and retaining top partners and associates, but increased pay and bonuses are easy for competitors to match and, therefore, convey no lasting competitive advantage. Asking employees what they value most in their relationship with the organization and seeking to provide it creates sustainable advantages. This is especially important for mid-sized and smaller firms which cannot compete on the basis of salaries and benefits. They must find other ways to differentiate themselves and keep their lawyers and staff members happy.

According to Thomson Reuters Corp.'s "2022 Report on the State of the Legal Market," law firms lost nearly one-quarter of their associates in 2021. Interestingly, the firms best held onto their associates didn't give the largest associate pay raises yet maintained billable hours in the same range as those offering top compensation. These findings indicate that money alone isn't enough to retain valued associates.

Culture and connection

Firm culture is the biggest driver in why people stay. The most enthusiastic long-timers have strong feelings of connection to the social fabric of their organizations. Thus, retention requires improving firm culture by fostering relationships between coworkers and offering intangible benefits that can't be found elsewhere. Smart law firms focus on providing positive workplace experiences such as promoting empathy, appreciation, and well-being along with a sense of autonomy and control; providing meaningful work with alignment between personal and organizational values and goals; and mentoring with opportunities for growth and development.

The current remote work environment compounds the challenge of doing so, however, because it limits human interaction. That's why the stay interview is especially important now. Even if conducted virtually, it's one way to increase communication and connectedness.

Have the conversation

Stay interviews are informal two-way conversations with open-ended questions to foster trust and open communication. Ideally, they occur periodically throughout the year and aren't tied to the firm's performance/compensation evaluation cycles. They should be conducted with all team members to avoid the perception that the firm cares only about certain key performers.

What to ask

What you really want to know is: Why do you stay and what will keep you here? It should be a dialogue, rather than a deposition. Below are some questions to get the conversation started and keep it rolling:

- What do you look forward to most/least each work day?
- Do you feel you're doing meaningful work with clear goals and objectives?

- What are you learning, and what do you want to learn?
- Which of your talents are you not using?
- Do you have the tools and resources to do your job properly and communicate with your colleagues when working remotely? If not, what's missing?
- Do you feel valued and recognized? If not, how would you like to be recognized?
- What do you like most/least about our culture?
- What are we not doing as a firm that you think we should do?
- What can we do to make your job better for you?
- Would you recommend our firm to job-seeking friends? Why/why not?
- What would make a long-term career with us enticing for you? What would tempt you to leave?

Remember, the goal of the stay interview is to build rapport and connection and, therefore, increase retention. The most important job of the interviewer is to LISTEN with an open mind. Those being interviewed will share openly and honestly only if they trust that they can speak freely without fear of judgement or retaliation.

For the interviewee to feel heard, valued, and supported, you must appear grateful for the feedback. Don't immediately respond directly to their comments nor react defensively. Simply thank them for their time, summarize the feedback you heard, and let them know when they can expect to hear back from you with a plan.

Follow through

You must actually follow through on the feedback the interviews solicited and provide a clear sense of what will be different following the discussions. Develop individualized engagement and retention programs responsive to the concerns raised. The effort will backfire if, after everyone devoted their precious time to participate, their concerns were not heard and acted upon.

You don't need to do everything mentioned in the interviews, but prioritize the requests, especially from those people you can least afford to lose. See how you can provide the tools, resources or opportunities they aren't currently getting, such as a clear sense of purpose, stretch assignments, greater flexibility, more support and mentoring, greater recognition and, in general, a personalized package that would be hard to find anywhere else.

The best way to hang onto your top lawyers and other professionals is to find out what makes them happy and do your best to deliver it. The stay interview is an excellent investment of your time and effort in that regard. Each should take about 30-60 minutes—which is much less time than it takes to interview a replacement.



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<https://www.seltzerfontaine.com/ask-them-why-they-stay/>

ASSOCIATE EXIT INTERVIEW

Name: _____ Practice Group: _____

JD Year: _____ Date of Hire: _____ Departure Date: _____

was part of the summer program entry-level hire lateral hire

New Employer: _____

1. What were the primary factors that influenced your decision to join the firm?
2. What might have been done to prevent you from leaving?
3. How did the firm meet or not meet your expectations?
4. Were you actively looking for a new position? Why?
5. Tell me about your new position?
6. How was your experience with the work allocation system and getting the type and level of work that helped you develop as an attorney?
7. How satisfied were you with the resources you had to perform your job?
8. Do you feel you were able to develop a good working relationship with Partners? Did you believe they were invested in your success at the firm?
9. How much client contact did you have?
10. How would you describe your mentoring/sibling experience? Are there partners or associates who are great at mentoring?
11. Were there any specific people who had a substantial impact on the quality of your experience at the firm?
12. Did you receive, ongoing clear feedback about your performance? How would you rate the fairness and thoroughness of our current review system? How could we improve it?
13. What additional training would have been beneficial to your job performance or your development?

14. Were you satisfied with your compensation and benefits?
15. What were the 3 most positive things about your experience at the firm?
16. What are 3 areas where you believe the firm can improve?
17. How is the office environment?
18. Do you sense a common culture among the offices of the firm?
19. Is there anything else you would like to share or discuss?
20. Would you recommend that a friend seek employment at the firm?

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We have a "no a-hole" rule.	We have no debt.	We just read that [partner] moved firms. We were wondering why he/she didn't talk to us?	Can you find a second-in-command who wants to break out from the senior partner's shadow?	We have ___ empty offices and want to get them filled.
I heard ___ is having problems – wouldn't some of their people want to talk to us?	You just bring us the candidates – we'll do the rest.	We had a bad experience with a retainer once. We won't consider it again.	We are not big fans of "onesies" and "twosies."	Yeah ... we would entertain groups as well.
Who are you hearing has unhappy partners?	This is a great opportunity to get in on the ground floor.	<p>FREE</p>  <p>FREE</p>	We reward cross-selling/ hunting in packs.	We don't over-pay, but rarely lose people to money. But if money is most important, we're not for them.
Here's a list of 9 practices areas we want to grow.	Don't rule anything out if they have portable business.	Management thinks we should add a regulatory practice in DC.	Where do YOU think we should be growing?	Management is very eager to grow this practice area. We're not fully sure why.
People truly like coming to work here every day	We are looking for partners "in their prime."	We have been burned by laterals who overinflated their books of business. Not again.	We would like to add an M&A partner who can throw off work to others.	We have turned away laterals with \$4 million practices because they didn't play nice.

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Listen to Your Laterals to Boost Your Recruiting Advantage

The lateral attorney market is hotter than ever and, despite offering huge salaries and bonuses plus sometimes almost astronomical signing bonuses, legal employers scramble to fill their openings. Dollar numbers are easy for competitors to match or outmatch; therefore, that strategy provides no real advantage.

Organizations must find other ways to differentiate themselves to both recruit and retain lawyers and staff. This is especially important for in-house legal departments or mid-sized and smaller firms which cannot compete with Biglaw on the basis of money. The question is how?

The answer is within.

Every organization has a treasure trove of information embedded in its current cohort of workers, and especially among its recent lateral hires. Stay interviews, informal one-on-one conversations with all team members, can reveal why members of your workforce like working at your firm. Targeted follow-up sessions with your lateral hires can reveal even more, including why they chose to join your firm and what worked and didn't work during the recruiting and onboarding processes. You might even discover some unexpected factors affecting engagement.

You can use information gleaned from these internal interviews to craft a recruiting message that lets candidates and prospects know, specifically, what differentiates your organization from others. Moreover, you can learn how to communicate those differences most effectively to candidates, outside recruiting consultants, and the marketplace generally. Added benefits are that you can make any changes highlighted in these interviews to keep your team on board plus, by demonstrating that you value their feedback, you can further cement retention.

Ask your laterals about their experiences with your firm during the recruitment process, onboarding, and life at the firm thereafter. Listen with an open mind and emphasize that candid, constructive criticism is exactly what you want to hear.

Some questions to get the conversation started:

During recruitment:

- Why did the lateral choose your firm over others they considered?
- What worked/didn't during the recruitment process?
- What can be improved during recruitment?
- What did other firms the lateral considered do better?
- What were their priorities when interviewing, and were they addressed?
- What were their concerns about your firm before joining, and were they addressed?
- Where did the firm exceed their expectations?

- Did the firm clearly communicate its USP (Unique Selling Proposition—how and why it is different from other organizations)? If not, how can that communication be improved?

During onboarding and after:

- What was most valuable to the lateral during onboarding?
- What information or experiences did the lateral wish the firm had provided? What was unnecessary? What else should be provided?
- What needs improvement?
- Where did firm exceed their expectations?
- Are the expectations established during the recruitment process being met?
- If not, where is the disconnect?
- Are they getting the marketing, business development, training, administrative, and technical support they need?
- What did their previous firm(s) do better, and how?

Culture:

- How would they describe the firm culture?
- What makes this firm different from their previous firm(s) and other firms they considered during their search?
- What do they like best about working at your firm? Least?
- What would they tell others about why they should join this firm?

Once you've gathered and synthesized the information, use it.

First, do your best to address any negative feedback you received to improve your recruitment and onboarding processes. You can even turn any negatives into positives by promoting your organization's openness and responsiveness to the opinions of people at all levels of your workforce and your flexibility and willingness to improve.

Second, use the valuable information you learned to hone your recruiting message. Distill the feedback into a clear statement or checklist of what differentiates your organization from the rest of the legal marketplace. You can't be all things to all people, so figure out who you are and the type of candidates who would appreciate and thrive in that environment.

Then, share this information broadly. Tell your inside and outside recruiters specifically why prospects should join your firm over any other. Make sure your message is clearly reflected on your website and social media posts and in your recruitment and onboarding materials.

You've got the secret to successful recruiting within your reach. Candid feedback from your lateral hires is a gift. Listen and learn.

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