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Episode title: 2021 Stellar Performance report examines lawyers in a post-pandemic world

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Gina Jurva: Welcome back to the podcast everyone. I'm your host Gina Jurva with you today to talk about our latest report. It's called Stellar Performance, a survey of standout talent, and it's our fifth annual survey. The report focuses on lawyers and the evolving landscape of legal work. While the challenges of 2020 have caused corporate law departments and their advisors to really assess their readiness for the modern world, the skills required in teams and the tools they need to utilize to do their jobs most effectively are changing and changing rapidly and gearing up for this change requires legal teams to be adaptable and flexible. The new Stellar Performance report shows that lawyers themselves want to change the way they work and see communication as the key to that change. Well, joining me today to discuss the findings from the report is Genna Stainforth, a Client Manager for our Thomson Reuters Market Insights and Thought Leadership Acritas team. Her team compiled the responses to the survey and produced this report, which I have to say is really a treasure trove of information. So, Genna thank you so much for joining me.

Genna Stainforth: Of course, it's a pleasure to be here.

Gina Jurva: Genna, for those who aren't familiar with this survey and the report, can you explain what it's about? I mean, why create a report like this?

Genna Stainforth: Well, for much longer than the five years we've been doing this report, we have been surveying general counsel, in-house corporate counsel in the legal world globally to understand how they're working with their law firms at large. We wanted to really get into those personal relationships to understand what it is that makes the individuals they work with stand now, and we've been collecting nominations from those general counsel now for the last six years. As you say, we had this wealth of client nominated individuals who we just saw as a huge opportunity to help more firm leaders, but also the partners, the associates themselves get insights into how to better progress their own careers or progress the careers of everybody in their firm. So, we started going out in researching these pool of client nominated standout lawyers to better understand what it is that makes them tick, what makes them stay at the firms that they work at, and what really they're looking for in their careers.

Gina Jurva: And how many attorneys were surveyed or responded to the survey?

Genna Stainforth: So, we've now got a global database of almost 15,000 of these general counsel nominated private practice lawyers and this year we had the highest response rate that we've had in any report so far. So, just under two and a half thousand of those took part in the program from over 350 different firms across 61 countries, so a real global look at the talent pool in the legal industry.

Gina Jurva: Overall, from the individuals who were surveyed, what were the biggest challenges lawyers indicated that they expected in 2021?

Genna Stainforth: Well, we ask really specific questions focused on topics that we know are keeping leaders and partners up at night. So, of course, hybrid working is one of those main challenges that lots of people pointed to, which we covered in the report. What that needs to look like going forward to enable that, you know, their firms are successful and what's going to be a new way of working for the legal industry. We also touched on quite client specific challenges like what is ESG. It's a word we've all heard of a lot in recent times, but what actually does it mean and how can their firms better provide an ESG proposition that works for their clients? And there are lots of other things that that we touched on as well. Well-being also being a crucial topic of this year's report and it's the third year we tracked well-being in the industry and I think as everybody is becoming more attuned to the issues that are arising and have always been there, but are now coming to the fall.

Gina Jurva: And when we think about some of the some of what you've mentioned, so ESG or environmental, social and corporate governance and, you know, well-being, how lawyers want to work in a post-pandemic world. How has this changed from even last year or previous years? Did you see much of a difference in the responses for this report?

Genna Stainforth: Definitely, particularly in those working practices that people want going forward. So, one of the things that we found is ultimately people have now had the opportunity to see that legal can work in this different way. We don't all have to be in our offices all day, every day, and they want to embrace the changes that they've been allowed through the pandemic. Now, of course there are challenges that goes with those changes, whether it's the never ending working day, the bleeding line between home life and work life, but what we've seen is as firms are looking forward to the end of this year and their return-to-office strategies, partners, in particular, are looking to work more days from home than they did pre-pandemic, so on average working two days a week at home versus half a day a week back in 2019 so, real change there, more lawyers wanting to work in a flexible way, so not necessarily the standard working hours. Obviously, with a lot of caveat around what are standing hours are in legal, but you know taking those guilt-free moments away from the office to pick up the kids from school or take a take time out of the day to have a workout, whatever it might be, so that's one of the biggest changes that we've seen. We've also seen a development in this skill sets that these lawyers are telling us that they require, as their clients themselves are facing changing issues and challenges as a result of the pandemic. So, that's a new finding from this year.

Gina Jurva: And that's so true. I think even just in Corporate America, I mean law firms, obviously, we're talking about here, but thinking about having that flexibility, you know, maybe not having it before, having a flexible work environment to going into a place where you know you can get work done. It might not be on the regular hour, but everything is going so global anyway. What are standard working hours anymore? I think you know, and I think we could say that too, like you're in the UK, I'm in San Francisco right now, so again, sometimes time is almost irrelevant and the other thing too I found really interesting is what you're saying that people want time to be able to go pick up their child at school or get a workout in. I have been known to get on the Peloton during the workday and my lunch hour grids. I think that's important. So, going back to really optimizing talent. I imagine that flight risk is a huge issue that has only been exacerbated by the pandemic or post-pandemic. So, you know, lawyers leaving the firm. How important is flexibility or how critical is it when you're trying to optimize talent and retain talent?

Genna Stainforth: It's definitely crucial. One of the things that we found in the research we'd actually run in the summer with this group is if they couldn't get the flexible return-to-office that they were looking for they were more likely to consider leaving that firm and working for a different firm whose leadership probably propose a culture that's much more aligned with how they want to work going forward. In fact, one of the things that we've seen is almost three profiles of what the hybrid working looks like for individuals. The first is very much more of a traditional profile, what we would have seen pre-pandemic. You know we've timed it. Leave work at the door, want to work full time, regular hours. The majority of those in the office. They're actually the least likely to say that they are considering leaving their current firm. You've got a group in the middle, which is all about having that flexibility that we've discussed to fit life into work. They do want to work full time, but those flexible hours, their flight risk is slightly higher, but the highest level of flight risk that we see are those who actually want to go back on a part-time basis. So, not part-time and kind of to a huge extent. You know, four days a week instead of five. I've done some of those again, still in the office looking for that flexibility, so I think depending on what, kind of how it extremely changes that people are looking for impacts, then, kind of, how likely they would be to leave their firm if they can't get that working life that they're looking for. So, I think more firm leaders, and leaders of any corporation really, have to think about what are we asking of our people when it means coming back to the office, you know, is it a nine to five, five day a week requirement that actually is necessary? Or is it something that we're asking for because that's how we're used to working. I think there's many questions that all industries are going to have to face in the next six months around. What works for them and what doesn't, but that flexibility piece is coming through from our research is crucial to make sure that we retain as much of talent as possible.

Gina Jurva: Was there any difference in the report based on geography or was this just really across the board? You saw these findings regarding working flexibility.

Genna Stainforth: I think geography played some role in it. No doubt, but even if you think of a jurisdiction like the US which is so vast and you know people have different approaches to working life, even within a single country, I think that's you know, and even an even bigger reason why that flexibility is so important, especially for those global organizations, but also thinking about what are the current pressures? You know we're both talking about this from the UK, the US, highly vaccinated populations. The rest of the world isn't in that situation at the moment, so I was talking with a client recently who a lot of their workforce is in Brazil. And you know, a return-to-office strategy just isn't feasible at the moment. It isn't a conversation that they're having, and so I think, you know, attitudes do depend not only as in terms of where we are from a geographical perspective, but also where we're at from, a handling of the pandemic perspective as well.

Gina Jurva: That's such a great point. And yeah, what you said about, you know, the LatAm region, is there still - there's the US and the UK might feel like we are post-pandemic, but to clarify I mean not everybody is post-pandemic, so that's a really, really good point you bring up. Let's dive into some, drill down into some more of the key findings. So, there is a part of the report where it talked about law firm leadership strengthen during the pandemic. What does that mean in this context?

Genna Stainforth: So, it literally this is exactly what it says on the tin. We asked these lawyers how satisfied on a scale of 1 to 10 they are with their overall global leadership, and that score has increased through the pandemic, not just for global firms, but for a lot of firms. There are of course those who haven't seen that same uplift. I think because through a time of change everybody was looking for a real

strong captain at the helm of their ship and a lot of leaders did stand up to the challenge that was presented to them. We've seen a lot of change in leadership style. A lot of empathetic communication from leadership. A lot more frequent communication right from the top in terms of the impact of the pandemic, especially right at the beginning, but now also, as we're kind of looking to what the future might hold. I think people have seen a more human side to their leaders and all of these are really important when it comes to engaging your people. Ultimately as leadership, you are driving a strategy forward and if people feel part of that drive forward that push to grow the firm, they are not only kind of happier in their roles, that well-being is better off, but they are going to be more satisfied with their leaders.

Gina Jurva: Yeah, and I think just when we talk about leadership having that empathy that you said was so key I think over this last year across industries when you're in a leadership position. And also I think in some ways having a high emotional IQ or emotional intelligence I think it's making that stuff so key, especially when most of your conversations, at least for me, over the last year, primarily have been over Zoom and another in Microsoft Teams and other types of collaborative, working video chat. So that is really crucial. One thing, you know, when we talk about concern and I believe I read this from last year's report that a hybrid approach to remote office working, you know, with you said that the average of two days working from home per week, that it actually would have an adverse impact on a client experience. Did that prove to be true based on the responses for this year's survey?

Genna Stainforth: So, so far that isn't bearing out in the reality that we're seeing, not from the partners though. Would they admit that their experience? That the experience they're giving has been worse? Probably not, but also from the general counsel who we've spoken with as well. In fact, 84%, so a large majority of those we've spoken with have said I've experienced no frustrations with my outside counsel while they've been, you know, outside of their office environments. So obviously, while we've all been at home, you know, that we've all been struggling with those same challenges there will be different challenges that rear their head when we've got half of our council together in a room around a board table, a couple dialed in through Zoom, but these are all issues that we're all as a society going to be working through and working through together at the same time. So, you know this isn't in the report. This is definitely personal opinion, but I think we've all just got to let each other find the right approach to what hybrid's going to look like because I believe it's here to stay.

Gina Jurva: Yeah, and I mean last year, you know, I think we were all sort of in the same boat, so to speak. We were all working from home and so I think having that maybe we wouldn't see, and you know a response that there was an adverse impact on a client's experience because we were all in the same place. Now there's this. There's this, you know, some people are going back to the office, some are staying home and, you know, there's this term called, I think, *proximity bias* is something I've recently learned about where you can feel bias towards the people in the room who are actually sitting around the conference table and physically present versus the ones calling in or being Zoomed in, so to speak. And so that's something probably to look out for, for next year definitely. And to see how the responses change or don't change.

Genna Stainforth: Yeah, definitely. And you know, while we're on the topic of proximity bias, a great top tip that I heard recently to evade that while we're kind of working through hybrid is bringing the people on your Zoom first, make sure that they have the first voice in your conversation because they are more likely than not, and I've been guilty of this, I'll put my hands up, the ones that get forgotten when it

comes to wrapping up at the end. So, I just, you know, thought worth sharing and we're having the conversation.

Gina Jurva: That's a, that's a good point. That's a very good tip. One that I think we'll have to employ as Thomson Reuters starts to open up too. The other thing I found interested in this survey is around thoughtful communication and improved collaboration, so did collaborations suffer in a remote environment based on the survey results, or did we see it actually thriving?

Genna Stainforth: This is one that does change, you know, depending on kind of what moment of the pandemic we were looking at in the summer, there was one in five of the private practice lawyers that we spoke with were saying collaboration has been harder while we're working remotely. Either, you know, within my team even, or as we look across different teams, I think in part, and what we're hearing is you lose those water cooler moments. Those moments of somebody walking past your desk in your office to have those kinds of sparks of collaboration. Actually, one of the things that we found in the most recent round was a culture of collaboration has improved. I was talking with somebody this morning. He manages a global team and he said actually through the pandemic I think we've been better at collaboration because it's put us all on a level playing field. You know, it's not the partners flying out to Hong Kong from London and they get those advantages while the associates are left behind. Actually, the associates are now joining those international conversations that previously they would just not have been privy to. I think there are definite steps though that you know firms and leaders and partners and, you know, all types of organizations need to be taking to make sure that collaboration does happen in this virtual world and those steps become even more crucial in that hybrid world that we were just discussing. Making it, kind, of an intentional collaboration, I think, is what's really critical. Planning meetings with purpose involving those juniors like I just mentioned, having a very open dialogue around what's working, what's not as you're collaborating. These are all things that we're hearing back from the partners through this research have been really helpful for them in building that collaborative culture.

Gina Jurva: How about though, and this is something I think we've all struggled with is working from home or having this hybrid working with flexibility means sometimes that people feel like they're always on, and I think you alluded to it earlier. Can you speak to that a little bit, like how did the attorneys from the law firms that you surveyed, how did they discuss that or talk about that?

Genna Stainforth: One of the things that we asked them about, especially with the rise of initiatives like the Mindful Business Charter, which is very focused on setting boundaries and having that open expectation setting around when people will be available and was do you feel you can set boundaries with your clients in terms of your availability? Now, shockingly, almost half of the partners said I don't feel either it's necessary or that I can have that conversation with my clients. I think it's going to have to be a skill that we all learn knowing, of course, and acknowledging that in moments of absolute necessity and high-pressure situations, we will always be there for our clients. And we're not going to say no, but for the more business as usual work, for the more relevant, more conversations that we're having is there a necessity to set boundaries on when they can come in and I actually saw something excellent this morning on LinkedIn. One of the senior members of the Amazon Web Services organization and she puts on her footer, it's a really human note of "I've sent this at a time that worked for me. If you're getting it at a time that doesn't work for you, please feel free to wait and reply when it does", and I think again it goes back to setting out that this isn't necessarily the right moment for you to reply, just

because I've sent it at 10:00 PM on a Friday doesn't mean that you have to reply then. I think as well more senior people in organizations need to think about the impact that that has on junior resources and how it can ultimately affect not only the pressures and you know the volume of work that they have to get through within time crunches, but also how that's then ultimately impacting on their well-being and the support that they can provide.

Gina Jurva: I love that. I think I'm going to add that to my email signature as well. I mean, that I think that's great and I and I think what you're saying also about responding when you can and letting others know that it's OK, especially when it's when it's things that are routine emails that definitely don't necessarily need to be responded to in the evening when you're trying to have dinner with your family or you're trying to do something else, right? Wait until the morning if it's not business critical is probably something we should all be OK with and get used to hopefully and continue to do that because the always on thing I think we'll obviously impacts mental health, well-being. And there's another thing I want to talk about and that is ESG. You know, it is a hot buzzword in all industries. I do a lot of work in this space from the financial institution standpoint. So, what does it mean though, when we talk about law firms and their corporate legal clients?

Genna Stainforth: Well, we asked just that question. You know, what is ESG? What is it your client talking about in the ESG space at the moment? And the majority of the partners pointed to the diversity, equity, inclusion elements of ESG. Next, of course, they're talking about the environmental impact bringing up things like climate change, but also social justice and injustices, and the work that they can be doing on a pro bono basis or volunteering that they can do in the community to help support the organizations that sit in the community around them. There's kind of three different strands that from this research we've uncovered, that firms and organizations probably in general, should be thinking about to developing the ESG strategy, but ultimately I think it's all about making sure that people know what ESG is and how important it is, not just for them, but for their clients, empowering them to ask the questions around what does it mean for you? It looks very, very different to a tax organization as it does for mining organizations. So, having those conversations I think are really critical and then at firm level it's showing a really genuine commitment to ESG either through developing a practice or having a cohesive and structured approach to what the firm is going to be doing. And then communicating its own ESG strategy to people. So, it's not just something that we're doing to profit from our client base, but ultimately how we're changing as well as a firm and embracing those principles ourselves.

Gina Jurva: And what you said about, you know, pro bono and again getting involved more I've had a lot of conversations with attorneys both in corporate and the law firm space who are much more inclined to want to be involved and are pushing their corporate legal department to start a pro bono program. So, I think all of that is so extremely relevant to what we've experienced over the last year. So, really great findings there. If you could give some sort of takeaways to lawyers and firms, like what they can do to best prepare for the future? What could you leave us with? I mean, is it addressing a skills gap, for instance? Is it anything else that you can tell us based on all of the conversations you have with all of these lawyers across the globe?

Genna Stainforth: I think for me the crucial piece that that everything roots back down to is the communication element of how we all work together in the conversations that we're having, especially in a great moment of change like we find ourselves in now, that is going to be truly something that separates the wheat from the chaff in terms of the lawyers who stand out to their clients, the leaders

who stand out to their people. Though, of course, that's something we find ourselves in right now. One of the other things that can't be forgotten is technology and how we are all improving and bolstering our tech skills, our data literacy skills, our project management skills. All of these, especially in legal where, you know, your client is constantly being drilled for that value that efficient delivery of service against become increasingly crucial. The other thing that we hear about from the client base that is now being increasingly recognized by the lawyers themselves is the importance of client centricity, whether that's, you know, knowing the industry that they set it, and whether it's truly having that deep grasp of what's going on in their business, the lawyers themselves having the business acumen to provide not just a legal answer, you know, the black and white? This is what the more things you can do, but also that commercial strategic deletion as well, but even those things, the tech, the business savvy, the industry understanding also require communication. The fearlessness to ask questions and that you might not know the answer of any questions that your clients ask of you. And I think that's definitely something that we should all embrace and take forward into the year ahead.

Gina Jurva: Well, Genna Stainforth, thank you so very much for being on the show, talking with me through the results of this survey. I highly recommend everyone take a look at the report. There is, like I said earlier, I treasure trove of information. It is the Stellar Performance report, a survey of stand-out talent. Genna, thank you so much.

Genna Stainforth: Thank you, Gina.

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