

## **The “Dog Days” Are Almost Here. Are We Ready for Them?**

The calendar confirms that we are approaching what, in many parts of the country, are called the “Dog Days of August” – several weeks of heat and humidity mixed with occasional cool nights which indicate we are approaching the end of Summer. It’s possible this year we may also be approaching what might be called the “Dog Days of the Recession” – a period of more bad news but mixed with a steadily growing amount of good news which indicate we are approaching the end of the Downturn and may even be starting a slow recovery.

The Dog Days of August alert us that it’s time to begin shifting our efforts and plans from surviving the heat to preparing for cooler weather. If these are also the Dog Days of the Recession – and there are indications that they are – then they are alerting law firms that it’s time to begin shifting their efforts and plans from surviving the recession to preparing for recovery and whatever changes may – or may not – occur in the legal profession. In other words, move from reactionary, tactical steps and focus on long-term, strategic thinking and planning.

This will not be easy because there is wide disagreement among legal experts about how much the profession will change and whether or not the traditional model by which firms have operated for years will be discarded. Furthermore, strategic goals will vary for BigLaw, MidLaw and SmallLaw firms and also among firms in each category. However, many of the issues that must be addressed are already evident. These are some of them:

- ∞ Firm structure – including equity and non-equity partners and other categories of lawyers
- ∞ Leverage – including not just associates but other timekeepers and, of course, greater use of technology
- ∞ Partner compensation
- ∞ Associates – Focus on lateral hiring? Return to entry level recruiting? The long-term impact of the extensive layoffs? Compensation.
- ∞ Alternate fee arrangements – What do clients, particularly general counsel, really want?
- ∞ Efficiency & better management at all levels – firm, practice groups, client teams
- ∞ Productivity – not just of partners but of all levels in the firm
- ∞ Legal services provided by other than law firms
- ∞ Client service and retentions
- ∞ Marketing & Business Development – How much to invest in each area?

We will discuss these and other issues in future Communiques. At this moment we merely want to emphasize that it’s now time for many firms to shift their thinking as the Dog Days of both August and the Recession alert us.

*Robert Denney Associates Inc. has provided strategic management and marketing counsel to law firms throughout the United States and parts of Canada for over 30 years – and through at least three prior recessions.. Reports and discussions of other timely issues are posted on our web site, [www.robertdenney.com](http://www.robertdenney.com).*

