

Reimagining Talent Development

An Essential Investment in the Business of Law

BY GENE COMMANDER



There is an urgent need for improved professional development programs in law firms nationwide. Professional development—meaning systematic efforts to instill legal competencies, business acumen, and an owner’s mentality in junior lawyers—is essential to attracting and retaining the talent that will enable law firms to thrive. This article explains how existing professional development programs have fallen short, why these deficiencies will hobble law firms as they confront a shrinking and shifting talent pool, and how firms can implement more effective talent strategies that will position them for sustainable financial and professional success.

The Critical Need to Invest in Talent Development Strategies

Law firms, by and large, have traditionally relied on a sink-or-swim, one-size-fits-all professional development approach, making relatively minimal investments of time and money in training junior lawyers. While many law firms have arguably gotten by so far with this approach, a suite of sweeping changes in the business of law necessitates substantial improvements to professional development strategies if law firms are to compete for talent, maximize their return on investment in talent, and satisfy client expectations. This is true for law firms of all sizes, and particularly for midsize and smaller firms, which can be hit especially hard by attrition.

Since the Great Recession, the legal market has undergone remarkable shifts.¹ The talent pool has contracted as baby boomers have begun leaving the profession without younger talent waiting in the wings to replace them. Almost 14% of lawyers are now 65 or older, compared to a roughly 7% share of all US workers.² Birth rates have plunged over the last half century,³ and colleges are approaching a “cliff” in enrollment next year—with college attendance expected to remain low through 2037.⁴ Law school enrollment trajectories have similarly headed south.⁵

Delivery of legal services will change drastically going forward due to a shifting talent supply and technological advances. The growing role of generative AI may cause a dip in demand for entry-level lawyers. Yet experts expect overall

demand for legal talent to hold steady or even rise as law firms deliver value in new ways,⁶ making it crucial to accelerate the development of the next generation of lawyers who have partner-level capacities, including strong critical thinking skills and sound business judgment.

Meanwhile, law firms are squandering their investments in talent, as evidenced by eye-popping attrition rates. In 2023, 82% of associates who left their firm had worked there for five years or less—a record level.⁷ Attrition rates are generally highest for women and people of color.⁸ For example, half of surveyed female associates said they planned to resign within two years compared to just one-third of male associates,⁹ and a disproportionately low number of Black associates plan to stay at their firm in expectation of partnership.¹⁰ These challenges may grow as the legal profession becomes increasingly dependent on women, with roughly 14,000 more women than men enrolled in ABA-accredited law schools in 2022.¹¹

Attrition is costly to firms, both financially and professionally. When considering lost billing revenue from a departing associate plus the expense and time associated with recruiting, interviewing, and onboarding new talent, the replacement costs can easily total \$200,000 to \$300,000.¹² And the intangible costs associated with turnover, such as low morale, high workloads, copycat quitting, and diminished reputation of the firm, are equally concerning.¹³

Thankfully, there are solutions to the talent conundrum—and robust professional development strategies are at the top of the list. Surveys show that lack of career development and advancement is a primary reason employees leave their jobs,¹⁴ so investing in talent development can help law firms reduce attrition while enabling existing talent to excel. And because women and people of color are leaving law firms at higher rates, tailored investments in their professional development are especially critical.

A key reason law firms should invest more in professional development is that law schools are not producing practice-ready lawyers. According to a 2024 survey, nearly half of junior associates believe law school failed to prepare them for the demands of practice.¹⁵ Many of the survey

respondents noted that their law schools focused on litigation and provided limited training in practical skills.¹⁶ Furthermore, law schools seldom offer training in skills and mindsets relevant to the business side of legal practice. The result is a worrisome gap in a wide range of professional skills for new JDs.

And for some junior lawyers, that gap was exacerbated by the pandemic, which led law firms to slash their professional development budgets. One survey found that 65% of global law firms suspended at least some portion of their professional development programs during the pandemic.¹⁷ Even law firms that maintained a healthy professional development budget were limited in providing effective training programs and opportunities for in-person learning that could build on the power of proximity.¹⁸ As a result, many younger lawyers are still playing catch-up.

Law firm professional development programs also need a reset because the one-size-fits-all approach used by most firms simply does not work for many lawyers. Not all newly minted lawyers have the same skill set. An associate who excels at oral communication may struggle with attention to detail, while an associate with top-notch technology skills may have uneven writing skills. Given the limited lens offered by indicators of future success like law school class rank, firms typically lack the full picture of their new hires’ skill sets until they’ve been on the job for some time. Law firms should accept—and indeed embrace—their lawyers’ individual strengths and weaknesses by designing individualized talent development initiatives.

A final—and crucial—consideration favoring reimaged professional development programs is the rapidly changing technology picture. Lawyers will need to be nimble as technologies evolve and as AI’s role in the practice of law expands. The advent of AI will place a premium on lawyers who are able to learn new skills and new models of legal practice. Furthermore, AI poses a training challenge because it can now perform many of the routine tasks on which rookie lawyers traditionally cut their teeth (e.g., reviewing voluminous client business records). As clients increasingly resist paying

for obsolete methods of performing legal work and demand that law firms make efficient use of AI's capabilities, firms will need to adopt new ways for their junior talent to rapidly build partner-level proficiencies.¹⁹

But wait, the old guard may say. We learned our craft by getting thrown into the deep end as rookies. If today's young lawyers can't demonstrate the same initiative and resolve we did, are they really worth our investment? Further, considering job-hopping trends, isn't it a waste of time and money to invest heavily in new lawyers when they'll move on in a few short years? And given the press of client demands and rising firm expenses, can we really afford to invest more resources in professional development?

The answer is clear: In today's landscape, law firms simply can't afford *not* to make these investments. As noted above, replacing an associate who leaves because she is dissatisfied with her learning opportunities can incur devastating losses, especially for midsize and smaller firms with less bench strength. Conversely, a strong commitment to professional development can go a long way toward retaining (and recruiting) associates. And it's not just about the money: Effective talent development strategies foster belonging and collaboration, which not only boosts retention but also creates a workplace environment where lawyers feel proud to work and where clients trust in their legal representation.

Yes, some of the lawyers a firm invests in will leave for other career opportunities, but think about the future of those who stay. To reap the benefits of the firm's prior investments in these lawyers and to meet client expectations, firms need those lawyers to become as productive as possible. And effective talent development initiatives will give clients confidence that the firm is building the bench strength required to serve their future needs, thereby strengthening the firm's client relationships. For all these reasons and more, talent development is an essential ingredient for organizational success, as reflected in a McKinsey & Company report showing that the top 20% of effective organizations provide 12 times as much training as the bottom quintile.²⁰

In sum, in today's rapidly evolving legal profession, robust professional development

initiatives have never been more important as a smart growth business strategy. By scaling wise investments in professional development to meet talent's needs and client expectations, law firms can position themselves to attract and retain productive, next-generation lawyers even as the talent pool contracts and technological advances reshape the delivery of legal services.

It's worth noting that professional development is only one piece of the puzzle when it comes to preparing the next generation of lawyers. Robust career advancement strategies that combine alternate career trajectories with allyship efforts and sponsorship initiatives—where experienced lawyers take less experienced lawyers under their wing as protégés²¹—are also invaluable investments that will pay large dividends for future-focused firms and their equity partners. But the important, wide-ranging topic of career advancement will be reserved for another day.

Guiding Principles for Talent Development Initiatives

Firms that are eager to start realizing the benefits of talent development initiatives can begin by familiarizing themselves with the six broad principles underlying professional development strategies. These are described below.

Prioritizing and Valuing Talent Development

For firms to build transformative talent development strategies, it's critical that firms view these smart growth initiatives not just as necessary overhead costs but as essential investments in developing a magnetic firm culture where talent thrives and clients benefit. Professional development must become an integral firm value.

When it comes to meaningfully involving senior lawyers and key firm leaders in talent development, compensation sets the tone. Firm compensation models should amply reward partner-level time devoted to professional development. Absent fair and transparent monetary rewards, many experienced lawyers will be reluctant to dedicate their valuable client service time to training and mentoring. In a Thomson Reuters Institute survey, 23% of lawyer respondents said they preferred not to devote time to mentoring less experienced attorneys, and

only 7% of respondents who were not currently mentors said they were interested in becoming one.²² Senior lawyers may well have good reasons for this hesitancy, such as feeling ill-prepared to serve as a mentor. It makes excellent sense for law firms to provide senior lawyers training and monetary rewards to encourage them to invest their time this way: The firm will benefit financially through improved productivity and increased cash receipts from junior attorneys plus reduced attrition. As such, it is just as logical to incentivize professional development activities as to incentivize rainmaking and generating personal cash receipts. However, it's not only tangible rewards that count. Law firm leaders should publicly recognize those who make a demonstrated commitment to junior lawyers' professional development. Ultimately, the goal is to build a firm culture truly embodying the notion that a rising tide lifts all boats.

As for associates, law firms have traditionally sent the message that they are expected to be billing machines, with a nearly single-minded focus on racking up hours. Put another way, "Lawyers' growth as professionals has been secondary to the firm's need for leveraged revenue generation and their practice groups' strategies. Associates have been treated primarily as a means to the law firm's ends, not as ends in themselves."²³ Naturally, when associates believe their firm does not truly value them by meaningfully investing in their professional development, they will start casting about for more fulfilling career opportunities.

Law firms should convey to junior talent that developing both their legal skills and their leadership potential should be their top priorities. Firms' compensation and promotion metrics for associates should reflect these priorities, which leaders should also reinforce through praise and other intangible means. Reframing of associates' roles may entail tracking the valuable time associates devote to professional growth, and awarding similar credit for those hours as for client service hours (an imperfect metric that tends to reward inefficiencies rather than productivity).²⁴ And junior lawyers who fail to meet expectations for learning and development should expect to be held accountable. While firms may forgo some billable hour revenue

in the short term as a result of this reframing, they will be handsomely rewarded as junior lawyers develop the skills needed to perform partner-level client work.

Deliberate Program Design

The key to every effective professional development strategy is highly deliberate design and implementation. This will pay far greater dividends than the more haphazard paths many firms have followed in their professional development programs. Firm leaders should solicit input firmwide to determine what's currently working and what tools junior talent believe they need to be successful. With this input in mind, leaders should define professional development goals, which will depend on the type of practice, levels of experience, and individual variability of junior lawyers. A clear vision of the anticipated benefits will facilitate assessment of the program's success and enable effective adjustments.

Cultivating Business Acumen and Owner's Mentality

Professional development strategies in law firms often focus narrowly on traditional legal skills. Given the impending retirement of many firm leaders discussed above, firms must also ensure they are building a leadership bench by instilling in the next generation of talent both business knowledge and an owner's mentality—that is, accountability, dependability, proactivity, and personal investment in the enterprise.²⁵

Developing business acumen among lawyers may not prove a natural fit. Many lawyers choose a career in the law because they prefer *not* to enter the business world.²⁶ Moreover, law schools generally do not provide instruction in the business aspects of running a law practice, so new JDs typically enter firms with little background in these matters. But without deliberate instruction and insight into the inner workings of firm management, up-and-coming talent will lack the ability to step seamlessly into leadership roles and ownership opportunities as they arise. Therefore, law firms should “draw back the curtain” on internal business issues from the outset of their relationship with new hires.²⁷ This should include involvement in client intake, negotiating terms of engagement, reviewing

client invoices, and sharing information about the firm's financial metrics, growth strategy, and succession planning.²⁸

Tailoring Initiatives to Hybrid Business Models

Although rates of remote work have cooled since the height of the pandemic and fully remote work models are rare in law firms, hybrid work is likely to remain the new normal in the business of law.²⁹ While carrying many advantages—including higher productivity and dovetailing with the preferences of women and people of color—hybrid work models also can limit professional development opportunities for junior talent, ranging from participation in client meetings to informal discussions by the coffee machine to impromptu learning opportunities throughout the workday.

Overcoming the lost benefits of in-person teaching opportunities requires a more deliberate approach to professional development. To preserve both formal and informal learning opportunities, law firms should ensure that junior and senior talent are in the office together at least reasonably frequently. Some law firms achieve this by setting “anchor days” when all or certain groups of lawyers are normally expected to be on-site. Given reports that partner-level lawyers often take more personal latitude in terms of coming to the office compared to junior lawyers, firm leaders may need to hold senior lawyers to their in-office commitments with more resolve.

Firms should also resist the urge to fully outsource training to remote platforms, as experts suggest that professional development initiatives should have a substantial in-person component. This is particularly true for the least experienced lawyers, who may need to learn basic competencies through in-office programs to enable them to meaningfully benefit from remote instruction. Moreover, in-person training plays a key role not only in teaching junior lawyers valuable skills but also in building a magnetic, cohesive workplace culture.

Recognizing Underrepresented Lawyers

As noted above, law firms see particularly high attrition rates among female lawyers and people of color. To promote belonging and retention,

law firms' professional development initiatives must meet these groups' needs.³⁰ One key strategy is to ensure that lawyers tasked with professional development responsibilities are diverse themselves. Further, trainers and mentors should receive training on coaching skills and unconscious bias to promote sensitivity and awareness.³¹ With junior lawyers who are parents or caregivers, it is especially important to plan professional development opportunities for midday hours, when family caregiving activities are least likely to be scheduled. Ultimately, this focus on inclusion and belonging will translate into gains in loyalty and productivity that will be felt firmwide.

Measuring Success

As the familiar quote goes, “What gets measured, gets managed.” To ensure law firms are realizing a high return on their investment in professional development, a robust measurement system is needed. Firm leaders should identify key performance indicators (e.g., increased productivity, client satisfaction, and talent retention) and how to track them. Measurement should be performed regularly to determine whether the investments are meeting the goals identified as part of the deliberate program design.

In the training context, a widely cited tool for measurement is the Kirkpatrick model.³² Under this model, four levels are assessed.³³ First is reaction. This involves determining how participants reacted to the training, including their level of engagement and the training's relevance to their work needs. Reaction can be measured through surveys and questionnaires at the conclusion of a session. Second is learning—assessing whether participants have learned the desired information or skills from the program. Third is behavior. This means identifying whether participants are applying what they learned in their day-to-day work. Tools for gauging behavior change include self-assessment and reports by supervisors. Fourth is results—training's impact on lawyers' individual growth and the return on the law firm's investment. Other training measurement models also exist,³⁴ and law firms should identify the model that best fits their circumstances.

Based on measurement results, law firm leaders should continually adjust and enhance

professional development strategies, embracing a smart growth approach that values continuous learning, growth, and investment. For example, firms should consider reassigning mentors if mentoring relationships are not a good fit and adding new training topics as needed.

Program Design

Once firms understand the overarching principles for professional development, they're ready to focus on design specifics. While there are multiple important components to professional development in law firms—such as performance reviews, ongoing professional learning, and encouraging junior lawyers to pursue leadership development opportunities in the community—this article focuses on training and mentoring as two essential types of professional development initiatives.

Training Strategies

The topic of how to design a law firm training program is worthy of enough ink to fill books. This article seeks to distill several key principles for effective training in this new era. While training formats and topics will vary widely depending on firm circumstances, these principles should be broadly applicable.

Adapting to the advent of AI. It's well understood that generative AI is profoundly shifting the legal landscape. As noted above, AI can now perform many of the tasks previously assigned to new associates, like review of electronically stored information—and AI's capabilities will only grow. This shift and related trends in outsourcing and do-it-yourself platforms carry potential advantages and disadvantages. On the one hand, AI can free up junior lawyers to perform work that is more engaging and less repetitious. On the other hand, these seemingly menial tasks have played a large role in honing young lawyers' legal acumen. Law firms will need to substitute deliberately designed learning experiences for their junior lawyers.

Further, AI's ever-growing abilities mean that lawyers will have to regularly adapt their practice to effectively incorporate AI, making learning and development an ongoing necessity from the start to the finish of one's career. Tomorrow's training models should recognize

the changing nature of legal work and focus on imparting the types of skills that will not soon be outsourced to AI, such as strategic thinking and persuasion skills.³⁵

Individualization. When designing talent training initiatives, the considerable differences in lawyers' skill sets and needs should be top of mind. Lawyers come to firms from different places and have varying personal circumstances. Factors such as the quality and breadth of lawyers' law school and undergraduate education, whether they had the opportunity to participate in a year-round law firm clerkship,

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their family circumstances, and their mental health status can affect the types of training that are appropriate. Moreover, not all lawyers with the same years of experience have the same proficiencies. Accordingly, firms should create environments where all lawyers are encouraged to voice the areas in which they need training and where supervisors thoughtfully assess each junior lawyer's areas for growth.³⁶ Training strategies should be flexible enough to meet all lawyers where they are, ensuring that firms are doubling down on their existing talent.

In addition to accounting for different skill sets, training initiatives should consider the substantial variation in lawyers' learning styles. For example, individuals may prefer to learn in a group or solo, and they may learn best through methods that focus on the visual, auditory, reading/writing, or kinesthetic.³⁷ Rather than merely reflecting the trainer's own style, training should encompass aspects of multiple learning styles.³⁸

Last, with 12.5% of lawyers reporting that they have ADHD, it is important for law firms to create an environment where neurodiverse lawyers feel comfortable disclosing their needs, and firm leaders should be educated about how best to support these lawyers in their professional development.³⁹

Training the trainers. The mere fact that someone is a good lawyer doesn't mean they are good at training others. Accordingly, lawyers who are responsible for training should themselves be educated in effective training techniques. This may include (1) cutting-edge developments in training subjects, such as the latest methods for integrating AI into a given practice area; (2) principles for teaching individuals with different learning styles; (3) how to integrate diversity, equity, inclusion, and belonging principles into training activities, and (4) strategies for cultivating personal and professional well-being.

Offering feedback is one skill that is especially difficult—yet vital—for trainers to master. Feedback that comes across as judgmental can be counterproductive by reducing associates' willingness to ask questions and their sense of belonging in the firm. Firms should provide training to trainers and supervisors to improve soft skills in providing constructive criticism.⁴⁰ In addition to delivery in a productive manner, trainers should be directed to provide feedback that is specific enough to enable trainees to understand what they need to improve.⁴¹ Further, feedback should be tailored to trainees' individual learning style and needs. In some instances, simple problem identification or corrective recommendations may suffice, while other trainees may require more involved feedback strategies such as joint problem solving or demonstrations.⁴²

Meaningful involvement in firm activities.

Training time should not be spent just in front of a computer or in a classroom. Junior lawyers need real-world experiences that enable them to truly understand the practice of law. This should include experiences relating to legal skills (e.g., attending or conducting depositions), client relations (e.g., participating in client meetings), and business acumen (e.g., reviewing firm productivity metrics such as cash receipts and realization rates). Further, there's no online substitute for shadowing partner-level lawyers as they interact with clients, experts, judges, and the like. Such experiences not only confer a deeper understanding of the application of legal and business skills but also raise trainees' level of engagement and their sense of belonging to a team doing important work.

Supporting underrepresented groups.

Law firm training programs should be designed with an eye to the needs and perspectives of underrepresented groups. A lack of belonging is one reason why many lawyers, especially those in underrepresented groups, decide to leave their firm. This means that training initiatives should make all lawyers feel welcomed and included, such as by ensuring that trainers are representative of diverse groups. When it comes to women, training programs aimed at mothers who have stepped away from law firms can help these lawyers successfully return to the practice of law. Last, an individualized approach to training, as discussed above, will help ensure that training benefits all trainees.

Mentoring Strategies

The status quo of mentoring programs has been described as follows: "Lunch, small talk, repeat."⁴³ Law firms must do better. The desire for mentoring is particularly high among millennial lawyers⁴⁴ and among women⁴⁵—key demographics that law firms must attract and retain to overcome talent shortages. What's more, the benefits of mentoring are wide ranging across the talent pool.⁴⁶ It's well established that strong mentorship programs boost job satisfaction and reduce attrition, help newer lawyers learn valuable skills and acumen, increase productivity while reducing errors,

give mentors a sense of purpose and contribution, and help head off potential HR issues. Below are key considerations in designing and implementing mentoring initiatives.

Design elements. In keeping with the deliberate orientation toward professional development strategies described above, law firms should set clear goals for their mentoring initiatives and shape them accordingly—for instance, does the program aim to reduce attrition? To build productivity? To foster business development skills? In turn, each mentoring pair should form a plan outlining their goals and the means to achieve them, and then commit to checking in at regular intervals about progress toward the goals.

To further reflect a deliberate design, firms should steer clear of the simple but ultimately insufficient model of designating a "mentoring partner" tasked with mentoring a pool of junior talent.⁴⁷ Associates deserve the opportunity for at least one dedicated mentoring relationship.

Pairing of mentors and mentees is critical to success and should not be left to chance. Attention should be given to achieving a good fit through consideration of personalities, backgrounds, personal interests, and preferred mentoring format. Where junior lawyers have a potential mentor in mind, firms should be open to supporting that match.⁴⁸ In some instances, it will be evident that certain individuals have not yet developed the interpersonal skills required of a mentor, such as the ability to provide nonjudgmental constructive criticism, and those individuals should not be included in the program, as they risk doing more harm than good. Training of mentors can potentially foster the skills needed for a supportive mentoring relationship, though firms should also be realistic in this regard.

Further, firm leaders should not simply match up mentors with mentees and step aside. Firms should establish minimum written guidelines for regularity of contact, topics to be addressed, duration of the relationship, and the like, while also allowing for natural variation in how the relationship unfolds based on participant preferences. In addition, firms should provide mentors guidance on best practices, alongside suggested activities and

discussion topics, and regularly check in with the mentor and mentee.⁴⁹

Multiple mentoring avenues. While law firms should at minimum implement a one-on-one mentoring program, junior lawyers may benefit from having multiple mentors and exploring different mentoring formats. For example, an associate could have a mentor responsible for guiding them in a practice area and an additional mentor in another department who serves as a sounding board and who can help the mentee grow their network.

Not all mentoring relationships need be one on one—many firms have seen success in instituting mentoring groups or circles, or randomized small lunch groupings.⁵⁰ Another potentially valuable approach is to ask lawyers firmwide if they would like to serve as advisors on specific topics, such as business development, litigation skills, or work-life balance, and to maintain a roster of these lawyers as go-to resources.⁵¹

Supporting underrepresented groups.

Because women and people of color still face barriers in reaching leadership levels at law firms and are the demographic groups most likely to leave their positions, mentoring programs should deliberately invest in meeting their needs, as with training programs. Mentoring can play a valuable role in empowering these lawyers and helping them chart their course in the law firm.

For women in particular, it is not uncommon to take some time away from practicing law when starting a family or caring for other family members. The pool of women who are available to step back into the practice of law when their family circumstances permit is a significant resource that law firms should not overlook in filling the talent gap. While these women likely retain sharp legal skills, they might benefit from guidance relating to recent legal developments, shifts in the law firm structure, and navigating their career path forward.

Two-way street to success. For mentoring to succeed, both participants must be committed, invested participants. Law firm mentoring programs should establish clear expectations of participants on both sides.


On the mentee side of the equation, these individuals must be highly invested in the

relationship and also remain responsible for directing their own career development path. The mentee should approach the mentoring relationship with the same seriousness and dedication with which they would approach any professional responsibility, such as by completing their homework assignments before every mentoring meeting. A possible way to gauge whether mentees will be committed is to institute an application process, as lawyers who are unwilling to take the time to request a mentorship are less likely to invest in that relationship.⁵²

When it comes to mentors, meanwhile, it is similarly important for them to treat mentoring as seriously as any other work commitment. At the outset of the relationship, it may be worthwhile for mentors to speak to the mentee's former supervisors and peers to learn what type of guidance the mentee would most benefit from.⁵³ To make the relationship as impactful as possible, mentors should commit to regularly sharing with their mentees new knowledge and skills they have gained, such as through conferences and trainings.⁵⁴ Further, mentors should not shy away from hard conversations and constructive criticism.

In the end, serving as a mentor can provide a rewarding opportunity for experienced lawyers to share hard-won insights with the next generation. For baby boomers who may be nearing retirement, the mentoring role can cement their legacy in building a magnetic workplace culture and talent bench strength that will ensure the firm's cohesiveness and stability well into the future.

Conclusion

As law firms navigate the advent of AI and other challenges of the next decade, firms' smart growth strategies must ensure talent is productive, nimble, and committed to the ongoing success of the enterprise. Yesterday's professional development programs won't get firms where they need to go. Generous, consistent investments in professional development guided by thoughtful consideration of the firm's and talent's needs will yield rich rewards in terms of quality of work, client satisfaction, and retention of productive lawyers. 



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