

## In This Issue

Welcome to the winter issue of the COLPM newsletter. We have two views on the role of the senior lawyer: **David Andrews** discusses the importance of experience, and **Bob Shack** discusses the opportunities that await the lawyer nearing retirement. Please let us have your thoughts to publish in a future issue.

We are pleased to introduce a new column designed to help us get to know each other better. We will include profiles of two Fellows in each newsletter. Thanks to **Jim Cowan** and **Austin Anderson** for agreeing to be our first "experiments." We hope others will agree to be interviewed for a future issue -- or better yet, volunteer to be next.

We also have remembrances of several Fellows whom we miss very much. They were dear friends, mentors and advisers to many of us.

Please read the "Notes from Chuck" for a summary of the recent Trustees meeting. Volunteer teams carry out the work of the College. We urge you to help out -- write, call or e-mail the team leaders cited in Chuck's column or our Administrator, Sandra Geist, to volunteer.

Enjoy and, as always, we welcome your feedback and suggestions.

-- Mary Beth Pratt, Editor  
prattmb@pepperlaw.com

## Chuck's Notes

The Board of Trustees held a very productive meeting in Denver on January 25. (BTW, your Trustees pay their own

expenses for these meetings except for lunch and dinner.) Fellow **John Tredennick**, current chair of the ABA Law Practice Management Section and host of its mid-year meeting in Denver, graciously invited us to the Section's reception at Cook Street School of Fine Cooking on Friday evening. This provided a great opportunity to greet many old friends, meet new ones, and talk about possibilities of collaboration and partnering in the future.

We also welcomed **Sandra Geist** to her first official meeting as the College's administrator. She earned a multitude of praises for her meeting planning, hotel and dining selections, and the seamless transition from **Alice Tully Atkins**.

After the Annual Meeting in September, Trustee **Dick Reed** decided it was time for him to step down from the Board. Dick served as president of the College in its beginning years and provided the wisdom and foresight so essential in the College's formative years. We are all indebted to Dick for his leadership and his mentoring of so many of us. We shall miss his active participation.

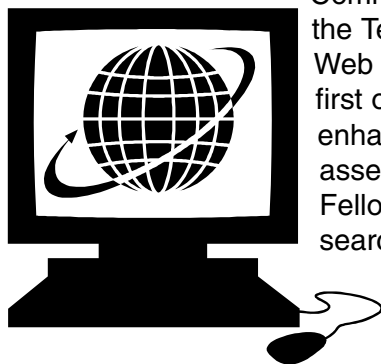
There were already two Board vacancies following the Annual Meeting, so the Trustees elected three new Trustees. We are pleased to welcome **Maggie Callicrate** from New Zealand, **Susan**



**Nycum** from California, and **Harry Trueheart** from New York. This gives us a full and diverse Board of talented and creative Fellows to begin to implement the College's strategic plan.

The Trustees debated, word-smithed, and adopted several amendments to the College's By-laws. We substituted the Mission and Strategy Statements from the strategic plan for the original statement of purpose of the College. We clarified the criteria for fellowship and rewrote the descriptions of Honorary Fellows and Emeritus Fellows. We believe these changes will help identify and recognize new Fellows, retain Fellows who have retired from active practice, and honor extraordinary achievements by others.

**Dave Hambourger**, chair of our Communications Team, reported on the Team's plans for enhancing our Web site at [www.colpm.org](http://www.colpm.org) as its first order of business. These enhancements will include assembling profile information on all Fellows, making the Directory searchable in multiple ways, developing a searchable library of Fellows' publications, and moving fellowship information to its own area of the site. Many other communication ideas will follow.



The Sponsorship Team, chaired by **Jim Lantonio**, is actively seeking contributions and sponsorships for the College's annual meeting and other activities. Because of the College's limited budget, these sponsorships, together with Sustaining Fellow contributions, are absolutely essential for the College to conduct leading-edge annual meeting programs and carry out its strategic plan. If you know of potential sponsors, please contact Jim right away.

**Charlie Robinson's** Program Team is considering several high-profile program topics and speakers for the 2003 annual meeting in Washington, D.C., September 12-13. If you have ideas or suggestions, please e-mail them to him ([CharlieR@charlie-robinson.com](mailto:CharlieR@charlie-robinson.com)) in the next 30 days.

And **Merrilyn Tarlton** reported that the New Knowledge Task Force has completed two rounds of brainstorming and is planning the next round soon. It is not clear at this point what direction or directions the effort will take, but we anticipate some meaningful, far-sighted products.

We also considered nominations and elected a number of new Fellows. Letters of invitation were sent to them recently.

As always, the success of the College will depend not on the work of the Trustees and the administrator but on the participation and contributions of the Fellows. The wisdom and experience of the Fellows are the College's most valuable resources, and the strategic plan is to share those resources with the broad spectrum of professionals and organizations represented in the College. Do not hesitate -- raise your hand, send an e-mail, pick up the phone, just do it. Let us know how you will help the College achieve these goals.

-- *Chuck Coulter, President*  
[chuckcoulter@slhlaw.com](mailto:chuckcoulter@slhlaw.com)

## In Remembrance

### Luther Avery

Many Fellows will remember Luther as a true 'curmudgeon' chair of Division 9 of the ABA Law Practice Management Section and later as chair of the Section in 1990. Luther was a constant reader of

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approachable, and  
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books -- "I have a book on that subject" -- his personal library exceeded 11,000 items in 1992. Many who knew Luther may not have been aware that Luther was also a Fellow of the Board of Regents of the American College of Trust and Estate Counsel, the American Bar Foundation and the American College of Tax Counsel. He also served as chair of the ABA Real Property, Probate and Estate Planning Section. We should not forget that Luther was one of the founding members of the ABA Law Practice Management Section and played the same role in the founding of the California Bar's Law Practice Management Section.

Luther was thoughtful, approachable, and very helpful to all who sought his advice, a friend, a man with a very strong social conscience, and, need it be said, a true curmudgeon. He is missed by all who had the privilege of having known him as a friend. A final note -- but for Luther, I would not have become a member of the ABA Law Practice Management Section and enjoyed the benefits that have flowed from that association over the years, including fellowship in this College.

-- *Demetrios Dimitriou*



### **Warren L. Tomlinson**

Author, speaker, storyteller, poker player, father, husband, friend, lawyer, mediator, pal.

When someone goes,  
We are left merely  
Tracing the outline and proportions  
Of the empty space  
He has left in the world.  
Remembering the shape his life took,  
How it grew,  
Where it intersected with ours.  
Noting that, when seen through  
other's eyes,  
That shape was more. . . or less. . .

Or sang a different tune  
Or knew a different purpose.  
We attempt to reconstruct the person  
he was. . .  
(Resisting the temptation to draw him  
too large)  
We want to remember more clearly. . .  
To make him real just one more time  
To feel the touch of his hand or  
See that mischievous glint in his eye  
Watch him make those irritating hen  
scratches he called writing. . .  
To ask him that question we never  
got to ask.

Frankly, you don't have to work too hard to remember Warren Tomlinson. He's there on the tip of your mind. Nor do I worry about making him larger than life. He just lived large. Which is odd to say for such a seemingly quiet and unassuming man.

Warren Tomlinson changed my life. He hired me at Holland & Hart in 1984. He saw nothing wrong with a marketing director in a law firm. He was, however in the minority. (Or the vanguard?) For years afterwards managing partners from firms across the nation called upon him to learn the ropes of hiring and keeping marketing staff. And, between the two of us, as Warren would say, we would "pretend we knew something." As if.

Warren sought out and collected people who were smart. Had energy. Thought differently. People who could get things done. People who knew it was "better to ask forgiveness than permission." People who, like himself, were interested in giving back.

Warren changed the lives of countless people. By believing in things we didn't know we had in us. By opening doors and convincing us it would be a favor to him if we'd just mosey on in. By sharing his knowledge of law practice management with anyone who asked,

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*In the case of Warren Tomlinson, the space he left will never be empty. It is full to overflowing with the lives of those who were enriched by his presence.*

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and doing it in such a way that folks believed they had thought of it. By not only liking people, but advocating for them. From Fruita, Colorado, to New York. From Chicago to Belarus. From Laramie to Pueblo. From Tucson to Vail. Warren made a lifetime of fanning the flames of possibility in others in such a way that we would hardly notice until much later. And then we'd stop and say, "Wait! How'd I get here?"

If ever you're looking for a good example of effective mentoring. . .of giving rather than taking. . .of creating opportunity. . .of just flat enjoying making good things happen for folks. . .I give you Warren Tomlinson.

When someone goes,  
We are left merely  
Tracing the outline and proportions  
Of the empty space  
He has left in the world.

In the case of Warren Tomlinson, the space he left will never be empty. It is full to overflowing with the lives of those who were enriched by his presence. There will be no forgetting. For we -- and the people we raise up -- will merely be the continuation of his life.

-- *Merrilyn Astin Tarlton*



## Lee Turner

Lee Turner died on December 12, 2002. Maybe you never heard of Lee Turner, but in 1970, when he took the podium in New York City, his talk electrified the 500 or so lawyers attending a national conference on law office management.

Lee had an insurance defense practice in

a two-lawyer firm in Great Bend, Kansas. What was so remarkable to the audience was Lee's description of how he was able to utilize the talents of 28 (!) non-lawyer assistants, what they did, and how they were so productive and profitable to his firm. In less than an hour, Lee Turner had introduced lawyers to the concept of delegation of legal tasks to well-trained non-legal personnel. Some left the program saying, "...it might work in Kansas, but it wouldn't work in my city." Others saw the potential and began taking hesitant steps to try to implement the concept in their own offices.

It was not long before paralegal courses and schools sprang up all over the country. Bar associations formed committees and debated the ethical considerations, what these new workers would be called, whether they would type, and whether they would lunch with the secretaries or with the lawyers. Lee headed several special ABA committees that helped to develop and expand the concept of legal assistants and to inform lawyers of their potential.

Today, legal assistants are everywhere and are helping lawyers in ways that could not have been contemplated in 1970. Most of us could not imagine trying to practice without them. What is most remarkable is that an entire career path can be traced to a single lawyer -- Lee Turner.

And so, whether you are a legal assistant or have been privileged to work with one, take a moment to pause and to give thanks to the legacy of Lee Turner.

-- *James E. Brill*



## Personal Insights -- Introducing:



**Jim Cowan**, Executive Director,  
Ulmer & Berne LLP  
Cleveland, Ohio

I spent fifteen years in public education, not counting my own trip through America's educational institutions as a student, before I ventured into the area of law firm management. Using that background and experience in the Association of Legal Administrators (ALA) has permitted me to provide others with their own opportunities

for learning and for professional development. I've been involved in leadership roles in ALA at the international level for over 15 years in myriad positions, including serving on the Board and on its Executive Committee.

Heading up a task force in 1989 that developed a recommendation to the ALA Board to move forward with a voluntary certification program, and then having the honor and responsibility of chairing the Certification Committee from its initial, diffuse and sometimes chaotic first meeting to a coherent, focused program are highlights of my professional involvement. The certification program's value lies not in how many administrators pass the exam, but in how much that one program has encouraged so many administrators to pursue their own professional development, and how it has shaped the nature of ALA's educational programming.

My interest in education extends outside of the legal profession. I have been involved with my local school system, from serving on a committee that developed a strategic plan for the school district, to reviewing textbooks, to co-chairing levy campaigns, to assisting where needed. For the past five years,

I've also tutored first- and second-graders in reading skills in two of Cleveland's inner city schools, a role that has provided me with a great sense of satisfaction.

The College of Law Practice Management, although an honorary organization, could play a role in extending our understanding of legal environments. Law firm administrators and almost all lawyer-managers are practitioners, rather than students, of management. Successful managers and administrators have figured out how best to do things within the legal environment and its culture. But, we don't always know why some techniques work better than others, unless we are students of general management.

If we assume that the management of lawyers has its unique characteristics (an understatement!), and that law firms tend to be flat organizations populated by multiple-equity owners, then having a more research-oriented and documented understanding of the nature of why law firms operate successfully (or unsuccessfully) would provide a grounding for better decision making by lawyer-managers and administrators.

Most general management research applies to law firms, but the unique nature of law firms means that there are additional understandings to be gathered. The College might want to consider how it can be involved in furthering our understanding as to why legal environments function the way they do.



So that you don't think that I'm just an education wonk, I do spend lots of time in the out-of-doors, hiking, canoeing and generally being far removed from the comforts of city life. I serve on a park board and on the board of

an historical society. I work in my garden, grow plants in my greenhouse, which inadvertently serve to feed the flying critters that share the space, unsuccessfully attempt to hold on to my fast-fading athletic skills, and savor every minute with family, friends and dog, although not always in that order.

*Editor's note:* If you would be interested in exploring the concept of management research as applied to law firms, please contact Jim at [jcowan@ulmer.com](mailto:jcowan@ulmer.com).



**Austin Anderson**, President  
AndersonBoyer Group  
Ann Arbor, Michigan

My partner, Sandra Boyer, and I created the AndersonBoyer Group, a law firm consulting organization, in 1995. Prior to creating this firm, I served for approximately 20 years, as the director of the Institute of Continuing Legal Education at the University of Michigan Law School in Ann Arbor.

I began my law firm consulting practice while serving as the administrative partner at Dorsey & Whitney in Minneapolis, Minnesota. While there, I created the Institute on Law Firm Management, a week-long law firm management program. The Institute followed me to the University of Michigan and was presented annually for 24 years at various locations across North America. It grew to include weekend workshops for managing partners, legal administrators, marketing directors, human resource managers and technology managers.

In 1994, at the request of a number of clients, the AndersonBoyer Group created the Network of Leading Law

Firms. The Network, now in its eighth year, has member firms throughout the United States and in several foreign countries. The Network is managed by Sandra Boyer, the executive vice president, and I serve as the president and education director.

I have been quite fortunate, throughout my professional career, to have worked with a large number of talented lawyers. This was true in the creation of the College of Law Practice Management. Creating and implementing an organization that would recognize the contribution made by managing partners, legal administrators and consultants to the legal profession was a rewarding experience. During the first four years of the College's existence, Sandra administered it. Recently, I have not been as active in the College as during its first few years, but I hope to become more active in the future.

Other opportunities to serve the profession in leadership positions included chairing the ABA's Law Practice Management Section, the State Bar of Michigan's Law Practice Management Section and the Michigan Fellows of the American Bar Foundation; and serving on the ABA's Advertising Commission and Standing Committee on Continuing Legal Education, and the American Law Institute-American Bar Association.



Among the great experiences of my life are my 49-year marriage to my wife, Catherine, and our five grown children. We have enjoyed some great times, and without their support, I would not have been able to participate in all the law-related activities. Another rewarding experience has been the leadership role I have been given by my church. I have been a member of its Finance Commission for 12 years, and I

have served as chair for six years. I have also served as a member and/or chair of its Development Committee for eight years. During that time, we have raised over \$8M for student programs and maintenance of its physical plant.

During my career as an educator, law firm manager and consultant, I have observed that lawyers who are willing to listen, then implement the recommendations made to them, find that their firms are more successful than those who fail to do so. I have also observed that disciplined organizations, particularly in the area of financial management, succeed in good times and bad. Another observation: legal administrators deserve far more respect from their lawyers and firms than they generally receive.

Legal administrators have a great deal to contribute to the success of their firms, if only given the chance to demonstrate it. Finally, law firms should give far more attention to the hiring, training and evaluation of their associates. The failure to do so is expensive for both the firm and the associates.

My primary hobby has been participating as a husband and parent. Five children require a significant investment of time. Now that the children are "out of the nest," I have more time to read. I enjoy fiction written by lawyers and books by Larry McMurtry and Tom Clancy. I also enjoy traveling.

With children living in San Francisco, Phoenix, Chicago and until recently, Denver, Catherine and I have ample opportunity to travel to great locations in the United States. Our fifth child lives in Ann Arbor with her husband and our three grandchildren.

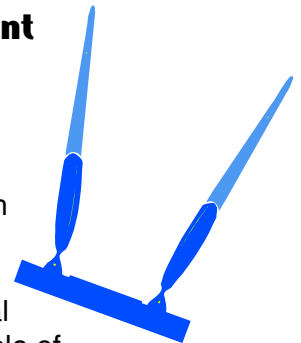


I have been a lawyer for over 40 years. I

enjoyed the practice of law; however, I draw my greatest satisfaction from helping lawyers and law firms successfully meet current problems and plan for their future. No two lawyers or law firms are the same, so each presents an intellectual challenge, as well as a different set of issues and opportunities. I have always seen issues as opportunities for the firm or individual lawyer to use their current success as a platform for future success. Lawyers are great people who significantly contribute to the good of their community and their profession. I truly enjoy what I do and hope I contribute to the success of whatever I am involved in at the time.

## Point/Counterpoint

*Editors Note:* The concept for the following two articles began with a discussion among the newsletter editorial board about the role of the senior lawyer. We welcome your comments and further discussion.



### Blend Young Knowledge With Mature Experience

*By David Andrews*

I have always taken the view that there are two qualities essential to the making of an effective professional. The first is technical knowledge. The second is hard experience. The former can be taught, whereas the latter can only be gained over many years. The monopoly of technical knowledge is sometimes vested in the young. The monopoly of experience is always, and inevitably, vested in the senior or mature professional. One without the other seriously devalues the professional service.

The last ten or so years have witnessed increasing de-stabilization of the senior element of the legal profession and a tendency, in many jurisdictions, for senior lawyers to retire from the profession increasingly early. This development results in the loss of the second essential quality to the profession, experience.

This loss of senior talent and experience is one of the most serious issues facing the profession and its clients today. It is an issue that is often not even acknowledged and is certainly not being adequately or effectively addressed. Thirty years ago the issue did not exist. The concept and spirit of partnership ensured that a group of partners -- albeit, and hopefully, embodying a wide age spectrum -- lived and worked happily and effectively together for entire career spans.

There are certain developments that have served to change things:

1. The pressure of professional life has dramatically increased for everyone. This is manifested by many factors including:
  - The complexity of the law itself
  - The increased sophistication of the client in a mature market
  - The increase in malpractice or negligence claims.
2. It is a young person's world:
  - Younger management in business often wants younger, professional advisers
  - Younger lawyers today are more entrepreneurial and expect earlier progression and more money earlier in their careers.
  - Senior lawyers are often seen as barriers to the progress of younger lawyers.
3. The massive merger activity of recent years has led to:

- Fall-out and terminations through rationalization of growth
- Reduction in inter-partner loyalty, often borne of nervousness.

4. The increasing size of law firms often leads to:
  - Diminished partner loyalty
  - Increased partner mobility
  - Less respect for senior experience on the part of the young.
5. Often unrealistic and unwise expectations are levied against more senior partners. Personal billing targets are often levied irrespective of how people at different stages in their careers and at different levels of a firm can best contribute to the firm.
6. Some younger partners automatically classify more senior partners as "under-performers" because the more senior partners do not produce the same level of fees as the younger partners. Other very important forms of contribution made by the senior partners are not valued.
7. Knowledge is valued more highly than experience.
8. There is a tendency for the age of retirement to be brought down. It is now quite common for the partner retirement age to be stipulated as any time from the age of 55 onwards. The arrangements for partners who opt for early retirement, even if that is welcomed by the firm, are not generous.
9. Former managing partners often become disenchanted upon returning to full-time practice because other partners do not welcome them back and will not hand back clients with whom they were entrusted while that partner was carrying out his/her management responsibilities.

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## ***Is There A Role For The Senior, Experienced Partner?***

There are several important things to be said and considered:

1. Careful consideration should be given as to the role of a partner at different stages of his/her career. Partners need to develop personally throughout their careers and should make their contributions to the firm in different ways as their careers progress.
2. There should be a partner career review and development program. Through this process, each partner's contribution should be matched to the strategic plans and objectives of the firm on a regular (annual) basis.
3. In addition to financial standards, other performance standards should be set. Some of the specific functions that senior partners can handle include:
  - Training and coaching younger lawyers and partners
  - Serving as mentors
  - Playing a leading role in specific marketing activities
  - Acting as quality "auditors"
  - Writing for publication
  - Managing "key client programs"
  - Overseeing *pro bono* activities.

## ***The Other Side Of The Coin***

No one should treat partnership as a meal ticket for life. Some senior partners do not help themselves, their firm or the profession by demonstrating resistance to:

- The changing professional environment, which is a fact of life
- New technologies
- Working in teams
- Cross-selling
- Sharing their experience with younger lawyers and helping them

to grow.

Some senior partners, once they have left a management role, tend to undermine, interfere with or otherwise criticize their successors or the new management regime. This is a serious mistake. The wise senior partner will do the opposite and demonstrate support. The senior partner is far more likely to retain the respect of peers and be consulted or involved if he/she adopts the approach of offering advice, but only when that advice is sought. Too many senior partners, having held high office in their firms, or in the community, disappear from the scene once the accolades are delivered - just at the time when they could do so much to promote their firm - albeit having to sacrifice the glory.

The relationship between the senior partner and the firm -- the effective blending of young knowledge and mature experience -- must be a two-way street. As with any other sort of relationship, understanding and hard work are required on both sides to make it work.

*David Andrews, who is based in London, is a solicitor and management consultant to the international legal profession.*

## **Retirement: It's A Wonderful World**

*By Bob Schack*

Now you have reached that certain age where different concerns start pecking away at your consciousness. Your kids have their own families and new needs, your firm talks to you of succession, your clients have new faces and you read different portions of the newspaper first. Should you ease up? Let go? Think about it at all?

Think about it! Think about it carefully, cautiously, honestly and courageously. Take the time to explore your needs,

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your wants, your abilities and your obligations. Of course the primary determinant is your health.

If you feel your real age, have a “family history,” notice a change in physical or mental capability other than trivial memory lapses or the never-ending minor aches and pains, then start thinking now. But, you say, those conditions don’t apply to you. You are at your mental and physical peak, love the practice, are irreplaceable to your clients (yeah, sure) and represent no roadblock to your younger colleagues. You are also able to find the time to respond to the real needs of family, friends and community in the spare time you can make for them after new client marketing efforts. If all this is you, then consider yourself blessed. In fact, I’d watch out for kryptonite if I were you.

Please don’t lose sight of the passage of time. There are other things in life that those few open hours outside the law can accommodate. Just for starters, don’t you want to try something new? No, not another cruise to the Greek Islands or the latest putter. How about some reading you rarely consider. Try Frost’s poem “The Road Not Taken” or Verlyn Klinkenborg’s new short book *The Rural Life*, (a real gem). It’s an eye-opening start to induce some difference in your daily routine and is a darn sight better than advance sheets and other “useful” material.

Of course, you must think of money, along with health and time. Surprisingly, there are scores of good books showing that the fear of insufficient funds required to live a wonderful (if not extravagant) retirement is vastly overblown. Ask your spouse. You will be amazed at the conclusion and the remarkably astute reasoning behind that conclusion. Fears of “nothing to do!” are so common among senior lawyers that it has become a

running joke. These are the same folks who take immense pride in their imaginative approach to legal representation. What happens? A great void appears where creativity used to run rampant within these powerful intellects.

This “nothing to do” mentality is a cop-out, pure and simple. It is driven by inertia, laziness and an inchoate fear of the recognition that time is not forever. Don’t succumb to it. You deserve better.

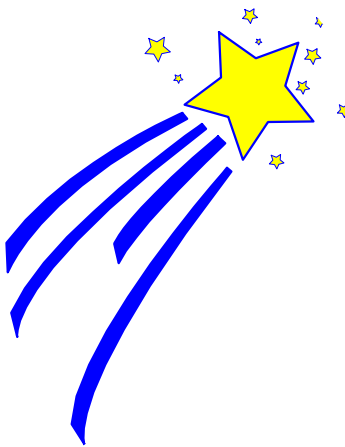
There is a wonderful world out there that wants and needs you. Start thinking about joining it. The possibilities for you are truly greater than you have ever envisioned. The pleasure is often unanticipated and is remarkable in kind and duration.

*Bob Schack, a lawyer, is retired from Kronish, Lieb, Weiner & Hellman LLP in New York, where he served as executive director.*

## **Do you have a book in you? Read on...**

The following appeared in the newsletter published by the “Renaissance Lawyers.” Many will remember Debra Arron as the author of *Running from the Law*, a wonderful book about career changing for lawyers plus a call for change in the profession. There may be some College Fellows with a book in them. This could be your big chance!!

Have a book in your head or a manuscript in your desk drawer? Publisher Mark Jaroslaw of Niche Press is accepting book proposals. His late wife, Deborah Arron, wrote *Running from The Law, What You Can Do With a Law Degree, etc.* Many, if not most, of us have read her books. Mark has decided to continue her work by publishing several books for lawyers over the next few years. His



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measurement, which Deborah shared, is “books that do good and do well.” The series is called decision books, and he envisions books that will help lawyers make decisions about their paths, in practice and supporting those transitioning from law practice. He will eventually want to publish some fiction but, for now, he prefers to focus on non-fiction (especially practical, how-to sorts of topics).

Mark is inviting proposals for books that are focused on answering the questions that lawyers are asking. He is very interested in the movement to transform the legal system and has been receiving the Renaissance Lawyer Cable and watching the movement over the past few months. Short books are encouraged (lawyers are busy).

Contact:  
Mark Jaroslaw, [decisionbooks@aol.com](mailto:decisionbooks@aol.com)  
or P.O. Box 99477, Seattle, WA 98199.



## Important Reminder

**The date for the 2003 Annual Meeting and Induction Ceremony has been changed.**

**Mark your Calendar now for September 12 & 13, 2003  
Park Hyatt Hotel  
Washington, D.C.**

**Watch for details in the next issue of COLPM News**

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