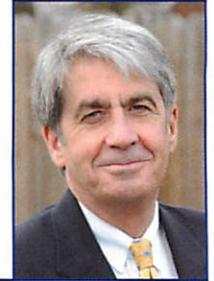


A Real Innovation



By Thomas L. Cuni

For years I, and many others in the legal profession, have commented on the erosion of opportunities for attorneys to learn how to be lawyers. New attorneys have received the benefit of increasingly more thorough academic preparation, but the economics of the legal profession have put an incredible burden on attorneys to produce a significant amount of billable work at the very start of their careers. The economic pressures on medium and large firms have also mitigated against experienced attorneys in those firms spending time training new associates. The work ethic in our profession is strong, and the most obvious answer to the financial issues facing lawyers is simply to work harder and longer. It is a solution which works in the short run, but the cost to law firms and the legal profession has been a material increase in the numbers of lawyers leaving their firms and, in many cases, leaving the profession.

Innovation is a word that individuals, companies, and institutions are fond of using to describe themselves. In fact, true innovation is a commodity which is fairly rare. Few really dare to depart very far from accepted methods and norms. Some time ago I heard that Frost Brown Todd LLC had started a new program for its incoming associates. Shortly after that, I attended a lecture sponsored by the University of Cincinnati College of Law at which Professor William Henderson of Indiana University spoke. The topic of his lecture was the state of the legal profession and what might be done

to address the problems of training new lawyers. The program Professor Henderson proposed sounded very similar to what I had heard FBT had undertaken. After the lecture, I ran into FBT's Chris Habel and I mentioned my thoughts about the lecture. Chris Habel confirmed that FBT was, in fact, implementing a program which incorporated many of the essential elements of Professor Henderson's proposals. Subsequently, I ran into Todd Bailey of FBT and he was as enthusiastic as Habel had been about the truly innovative program that FBT had adopted. After seeing the enthusiasm of these two men for what they were doing, I wanted to share the news with a broader audience: my wife, my mother, my mother-in-law, and the five or six other people who read my monthly President's Brief.

A Fundamental Change

The FBT program is fairly simple but it is a fundamental change from the existing model. The annual billing goals for new associates had been 1,800 billable hours and 200 hours of community service and practice building. The new goals are 1,000 billable hours and 1,000 hours of learning legal skills, community service, and practice building. A substantial adjustment has been made to the starting salaries of new associates based upon FBT's promise to provide the associate with meaningful training and experience. A "knowledge coach" has been assigned to each associate and the coach is charged with the responsibility of

providing the associate with opportunities for practical experience with clients and opportunities to learn about the important aspects of being a lawyer, as opposed to only learning about the law. An additional aspect of the new model is the presentation of speakers to talk to the new associates about the many important facets of our profession that influence the satisfaction which can be attained as a practicing attorney. Ask Todd Bailey about this part of the program and he lights up with enthusiasm.

The decision to make such a substantial investment of time and money in this program is truly a bold step. I hope that several things happen. First, that FBT succeeds in producing better prepared lawyers and that a substantial number of the lawyers it trains decide to stay with FBT because it had the wisdom to invest in their professional preparation. Second, I hope that the program guides the attorneys to a quicker appreciation of what the legal profession offers to those who choose to be lawyers. Finally, I hope that this model serves as the basis for fundamental changes in how lawyers are trained for the profession, whether they practice in large or small firms or as solo practitioners. This really is a worthwhile effort to improve our profession, and FBT deserves praise for its truly innovative effort. 

Cuni is 2009-10 president of the Cincinnati Bar Association.