

# Irresistible Force Meets Immovable Object: Generational Conflict in the Legal Profession

by Michael Moore

“IT WAS THE BEST OF TIMES, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the spring of hope, it was the winter of despair.” So begins *A Tale of Two Cities*, the story of English barrister Sydney Carton, swept up in the currents of the French Revolution. Carton makes the ultimate sacrifice for his client, a French aristocrat, when he switches identities with him and loses his own head to the blade of the guillotine. Both the French and the American revolutionaries rejected traditional values based on monarchy and rule by divine right, which they replaced with values based on democracy and self-determination. The legal profession is experiencing its own version of generational conflict. Lawyers and law firms that want to continue to succeed will need to adopt new styles of communication, accommodate alternative career tracks, and expand mentor programs.

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Understanding generational differences allows lawyers and law firms to tap into each generation's strengths by adopting new styles of communication, accommodating alternative career tracks, and expanding mentor programs to create future success.

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## Talking About My Generation

Each generation is defined by common values, attitudes, and experiences. The boundaries between generations are not specifically defined or rigid, and not every individual follows the same pattern as others in his or her generation. However, each generation does share common economic, social, political, and demographic events that usually shape the perceptions and values of individuals who experienced them.

The “traditionalists” were born before 1950; some of their defining events were the Great Depression, World War II, and the Cold War. They value hard work and sacrifice for long-term loyalty. Because of current economic challenges, many have chosen not to retire but try to remain active in the workplace.

The “baby boomers” were born between 1950 and 1965, and some of their defining events were the Vietnam War, the sexual revolution, and the civil

rights movement. They value ideals and want to stay forever young but can be assertive and career-driven. Their motto was “never trust anyone over 30,” which they changed to “50 is the new 40” and have now made into “life begins after 50.”

Members of “generation X” (gen Xers) were born between 1965 and 1981. Some of their defining events were Watergate, economic recession, and widespread changes in traditional family structures, including increases in divorce and in women’s participation in the workplace. They value their own abilities and are comfortable with technology but do not trust or expect loyalty from their employers. They are the ultimate free agents, ready to create career opportunities and change jobs when it serves their personal goals.

The “millennials” were born after 1981, and some of the things defining their lives have been the Internet, 9/11, and the wars in Iraq and Afghanistan. However, they also experienced a full schedule of structured activities, “everyone wins” evaluations, and the inclusiveness of diversity. They value teamwork and intellectual challenges and are both confident and enthusiastic. No wonder. At age 24, Bill Gates, a baby boomer, had not yet launched Windows. At age 24, Marc Andreessen, a gen Xer, had created Netscape and was worth \$50 million. At age 24, Mark Zuckerberg, a millennial, had created Facebook and was worth \$4 billion.

### Understanding the Problem

An institutional client calls Senior Partner on Friday afternoon. Senior Partner has inherited the relationship, the mutual loyalty of client and firm originating when the founders were classmates in the 1920s. Client needs a memorandum of understanding by Monday for a pending acquisition. When Junior Partner gets the call to meet and discuss the details, her adrenaline begins to flow. The weekend will now be spent at the office, sifting through mountains of docu-

ments, debating strategy, drafting, and redrafting. Her family needs will be displaced, but by Monday she will be one step closer to inheriting the client herself.

When Senior Associate joins the meeting, however, his look of concern is apparent. He has to coach his son’s soccer game on Saturday and attend his mother-in-law’s birthday party on Sunday, and he promised his wife a now long-delayed romantic dinner date. He immediately begins to assess what his laptop and Blackberry can handle and what material can be safely removed to his home office. He does not think he

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has to be physically present to participate in discussions, and he knows that drafts can be routed electronically to everyone on the team for edits.

The youngest member of the team arrives, busily texting even as she walks in. She will be late for volleyball tonight but confirms her “posse” will wait at the bar. Tonight’s social activities will not stop her from showing up early at the office but she plans to slip out mid-morning for lattes with a friend from law school to discuss an upcoming wedding. Spending the rest of Saturday cataloging documents won’t bother her because she can still be on Facebook while listening to her iPod.

Looking around the conference room, Senior Partner realizes that if he hopes to get to his cabin up north by

dark, he must get this team of diverse generations working together effectively, not only for the good of the client but to retain the talent his firm has heavily invested in.

### Failure to Communicate

One of the keys for turning generational conflict into productive teamwork is simply more effective communication. If people accommodate each others’ preferences, positive synergy can be created.

Traditionals and baby boomers could check voice and email messages more frequently and try to respond promptly to requests for information. Gen Xers and millennials could switch from instant messaging and emails to using the phone more. This requires good talking skills. Be explicit and proactive. Do not use slang. Avoid filling gaps with “uh” and “umm.” In the prior scenario, everyone should be prepared to respond to messages immediately throughout the weekend.

When managing a team, baby boomers can cut back on lunch and breakfast meetings and try to adopt a fixed schedule if possible. Gen Xers and millennials can be encouraged to appreciate the “check in and catch up” benefits that come from team meetings. In the scenario laid out above, everyone needs to agree on a time when they can meet during the weekend and must commit to meeting with Senior Partner on Monday morning before the final work product is sent to the client.

Traditionals and baby boomers should delegate challenging work as well as boring and routine assignments. This requires extra effort to engage and give timely and useful guidance. Gen Xers need to understand this kind of feedback is not instantaneous and may have to be requested. Millennials need to accept criticism, avoid excuses, and improve their listening skills. In the present scenario, once Junior Partner formulates an outline of the memorandum, Senior Associate should get first crack at the rough draft. Later, Junior

Associate can be asked to add to it. Both Senior and Junior Partners have to temper their critiques with positive reinforcement. Both Senior and Junior Associates have to accept these critiques in the interest of personal growth.

Traditionals and baby boomers should embrace alternative work styles and create organizational options. Gen Xers should understand that client service always comes first and face time is important to advancement. Millennials should realize that understanding and accommodating generational differences is still developing at most law firms. Personal needs do not come before client and firm needs. The goal in the scenario remains excellent client service. The senior lawyers need to allow the junior lawyers latitude in determining how to collectively reach that goal.

### A Time for Mentors

When Ulysses went off to fight in the Trojan War, he left his trusted friend Mentor in charge of his son's education. Thus "mentoring" came to mean the passing on of skills, knowledge, and wisdom. Mentors help lawyers acquire knowledge and skills more quickly and more effectively. They pass on the true art of the practice of law. Having an effective mentoring program at your law firm can help overcome many generational conflicts.


Mentoring requires active and focused learning. The mentee must be proactive, helping direct the relationship and set its goals. The mentor needs strong interpersonal skills, a wide range of appropriate experience, and personal enthusiasm. Both gen Xers and millennials need to know there is nothing wrong with asking for help developing a career. Traditionals and baby boomers need to welcome the opportunity to be a guide to sources of knowledge. Everyone needs to embrace the required commitment of time and confidentiality. Only through open and honest discussions will the

trust and rapport necessary for an effective mentoring relationship be created.

### Where We All Began

In 399 BC, Socrates went on trial for corrupting the youth of Athens and creating generational conflicts in the city. He questioned the established intellectual class of Athens, the statesmen, poets, and artisans, who thought themselves wise. Socrates proved these prominent Athenians were not wise. When his public questioning made them look foolish, they turned against him and created accusations of wrongdoing. A jury of Athenians found

Socrates guilty and sentenced him to death by ingestion of hemlock. Among the next generation of his students was Plato, who together with Aristotle went on to lay the foundations of Western philosophy, logic, math, and science.

There always have been and will continue to be generational differences. The key to overcoming these differences and creating future success within law firms will come from improved communication, deeper understanding of shared values, and the expansion of mentor programs. These activities improve teamwork and encourage adaptation to change, which are necessary steps to building a competitive advantage in the marketplace. 

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