

## Redefining “Acceptable” Behavior at Your Law Firm: Are You Turning a Blind Eye?

By [LawVision](#) on November 19, 2013

It seems that dialogue about the Miami Dolphins’ bullying controversy is everywhere. It’s come up in conversations with friends, family and clients, and will undoubtedly continue as new details emerge.

Much of the media commentary highlights differences between the culture of an NFL team and the culture of an office environment. Comments, actions, and behaviors common in an NFL locker room will undoubtedly differ from those experienced in law firms. Regardless of the “standard of conduct” however, some things just go too far. As identified by the bullying controversy, crossing the line can go unnoticed – whether intentional or unintentional.

What conduct goes unnoticed in your firm? What actions are noticed but overlooked? Although we assume that overt bullying will be addressed by firm leadership, we also can’t fall prey to failing to take action when seemingly benign behavior is allowed to continue without consequence. Law firm leaders, like coaches, are charged with setting a tone for the organization, leading by example and enforcing rules. Whether lawyers or football players, true accountability should be based on individuals holding each other responsible to the shared ideals of the organization. It is not the responsibility of coaches – or Managing Partners – alone.

If you think your firm is immune to undesirable behavior, consider the following questions:

- Is origination and/or working credit being shared equitably at the firm? Are there habitual abusers of column grabbing or credit hoarding?
- Is work being distributed in an equitable manner? Are the “top performers” continually given plumb assignments while others receive less desirable work?
- Is the path to partnership stalled at your firm? Are partnership positions being occupied by underperforming senior lawyers rather than promoting up and coming lawyers into the partnership?
- Are compensation decisions perceived as fair and equitable? Does the firm adequately incentivize and reward behaviors that match its values and strategy? Are all partners – at the top level as well as the entry level – actually paid in accordance with their production and contribution to the firm, or are some unjustly enriched at the expense of others?
- Are leadership roles being allocated to individuals most qualified for the positions? Are historically unrepresented groups like women and minorities involved in leadership roles?
- Are lawyers and staff comfortable speaking up about policies, or is there an unwritten code of silence about questioning firm management and leadership?
- Are hiring decisions based upon the best talent for the firm’s needs, or does firm culture influence hiring of “more of the same” lawyers who are “just like us”?

While it’s difficult to turn a blind eye to flagrant and outlandish antics at law firms, these questions help identify the systematic behavior that can go unnoticed – or unaddressed – even at top performing law firms. These actions can

undercut lawyers' senses of equity and fairness. In the long run, these issues can be far more detrimental to an individual's sense of belonging and inclusiveness than overt bullying. Start asking tough questions now about the persistent yet seemingly inconsequential behaviors that don't align with your firm's values. You may be surprised at what you uncover.