

The changed economy of legal knowledge: response through a radical change to the legal trainee career path

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Abstract

This paper uses a case study to explore how two changes in circumstances within the UK legal services sector led to innovations in career structure, organisational design and the distribution of knowledge within one particular City of London law firm. These two changes were: (1) changes in client demand for more commercial advisers; and (2) the financial crisis or Credit Crunch. The paper sets out the context for the innovation explaining the historic legal education system with its nearly exclusively technical legal curriculum. The authors then set out the need for change in knowledge distribution, based on external market demands, in order to produce more rounded, commercial and business-focused lawyers, and explain how the firm radically revised its career path to create a step-change in commercial knowledge and simultaneously changed the knowledge distribution in the firm.

Background: the historic career model and legal services market which required ‘technical experts’

The legal sector’s work historically centred on delivering expert, technical knowledge-in-practice which its legal teams have gradually built up through their careers (Kritzer, 2002). Clients of leading City legal practices continued to value this technical knowledge, especially that of the senior members of the firm (the law firm Partners), and readily bought in the City firms to solve their legal problems, often in a relatively ‘transactional’ relationship whereby the law firm was hired to execute a particular legal instrument within a broader commercial context (Morgan, 2005).

Over the last 20 years (especially since the end of the recession in the early 1990s), the volume of transactions and the complexity of international business (including its regulation) led to strong growth in the requirement for legal services. This growth meant that there was relatively little price pressure on the services provided by City firms, and preserved the model of the more expensive senior lawyers still spending significant amounts of time on the technical aspects of client work. In most City firms, their lawyers would only gradually become involved in client relationship or firm management roles when they approached Partner level, with the junior lawyers spending a large percentage of their time throughout their early careers in developing a similar ‘technical expertise’ skill-set to that used by their firms’ Partners (Kritzer, 2002). Given the buoyancy of the legal services market in this period, City firms could generally rely on clients returning to seek their services the next time a specific need for advice arose, so there was little need (or incentive) for law firms to change this *modus operandi* as it delivered a steady stream of profitable work year-on-year.

To support this legal services market ‘need’ and the City law firm business model for the delivery of technical legal knowledge, law firms recruited their junior lawyers from a university education system which was set up to deliver an almost entirely technical, ‘black letter law’ knowledge base for those planning to enter the profession. The phrase of ‘black letter law’, typically used by law firms to define the valued legal knowledge training delivered both in-house by City firms and also on many of the external continuing professional development (CPD) courses, reflects the technical focus of the development historically for solicitors. This approach is in keeping with the method used to train those entering most professions, where technical knowledge has

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traditionally been valued over knowledge-in-practice (Susskind, 2008). In the context of the law, technical knowledge focus pervades university law degrees and also comprises nearly the whole curriculum of the subsequent mandatory qualifications prescribed by the sector’s regulatory body, the Solicitors’ Regulation Authority (SRA) (2008) for prospective solicitors.¹ Whilst there are some ‘business skills’ elements included in these courses, even these elements have a technical knowledge focus, such as legal research and drafting (see the curricula for these courses of BPP, 2011; Nottingham Law School, 2011). In contrast, areas of business acumen and commercial awareness, proportionately, have received much less focus. Given the historic market needs and City law firm business models outlined above, whereby clients’ service requirements for their external legal advisers were almost exclusively in the area of technical expertise, this should not come as a surprise.

Following this technically-focused education, junior lawyers have entered City firms as trainees for two years during which they generally spend time in different legal practice group ‘seats’, rotating through these different groups in the firm to gain the prescribed experience required by the SRA before qualifying as an associate solicitor. The SRA’s requirement is that trainee lawyers must gain experience in at least three different areas of law (Solicitors Regulation Authority Education and Training Unit, 2008). City firms generally rotate their trainees either through four, six-month seats, or sometimes through six shorter, four-month seats over the two-year period. This period of time is seen as work-based learning (Raelin, 1997; Brennan and Little, 2006), usually spent on largely technically-focused tasks including research, drafting of documents, and the production of legal knowledge (‘Know-How’) which can be utilised within the firm from their client work (Morgan, 2005). Following qualification, this heavy technical focus and the continuing development in legal method expertise generally continues to the early/mid-associate stages of an associate lawyer’s career (see Figure 1), as one of the key requirements for a newly-qualified solicitor is to develop a technical knowledge specialism within the legal practice group they have chosen to enter; this is important for lawyers as their legal knowledge will become their ‘USP’ within the firm and for clients, hence being one of the main guarantors of career progress (Baker and Parkin, 2005).

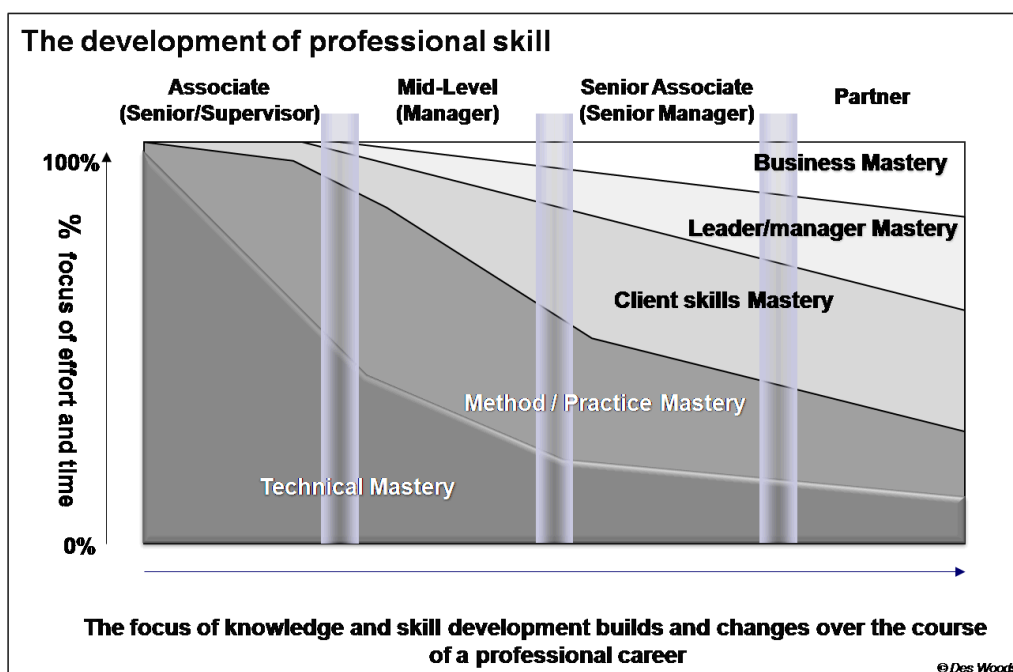


Figure 1

This early career technical focus was reinforced historically by the way in which responsibilities for the more commercial or business-focused elements of roles in City firms were executed, particularly those relating to client relationships and firm management.

For the former, the relationships were usually held historically at Partner level in most City firms and it was only when associate solicitors began to reach a very senior associate level that they were given significant client relationships responsibilities, something which firms are now attempting, gradually, to change. This change is now reflected in the competency frameworks which have been implemented in many City firms relatively recently to support new career levels which set out the core experience and skills capabilities required in this client area even for junior lawyers. In addition, firms have recognised the value of developing peer level relationships even with more junior client team members, hence encouraging the law firm's own junior lawyers to begin their relationship building skills at an earlier career stage than was historically the case and to create peer-level networks with the junior members of client teams.

In terms of firm management responsibilities and commercial knowledge (e.g. about the profitability of work and billing clients), once again, this knowledge and the related responsibilities were historically held at Partner level. It has been only in the last few years, in particular as specified 'senior associate' career steps have been developed in firms, that some of these broader (non-technical) responsibilities been devolved below Partner level.²

In summary, the market context of legal services meant that, historically, lawyers reached senior associate level with an almost purely technical knowledge and skill-set. Even when associates were made Partners, the need for commercial and industry awareness was relatively de-emphasised because clients still valued (and were willing to pay for) senior lawyers who brought technical comfort and expertise to their transactions, and demand for these types of services was such that Partners rarely needed to contemplate actively 'selling' their capabilities.³ Sufficient work was still generated to support the 'practice knowledge' capability model, thereby preserving, in turn, the education system and career model which produced the same, technically-driven lawyers outlined above.

Changes in the legal sector market: and the need for commercially-focused lawyers

Over the last 10 years, as the legal service market became more competitive and law firms began to focus on a smaller number of key clients, there became an increased need to differentiate themselves from peer competitors and firms could achieve this differentiation through deeper understanding of clients' businesses and industry sectors.

One symptom of this shift amongst law firms of the increased competition, the need to understand their clients in more depth, and to create differentiation from key competitor firms, was the adoption of industry sector foci within the larger City firms as a core element of their firm's business strategy, an approach which had been prevalent in accountancy firms already since the 1990s. This meant that a law firm's market-facing message to clients was that their service offering was a 'one-stop-shop' across different legal specialisms in a specific industry sector (e.g. Life Sciences, Infrastructure, Private Equity, Energy), an integrated offering which came with a deep understanding of both the legal issues in that particular sector and also the commercial trends and economic drivers of the relevant industries. Many City law firms now emphasise both these 'Sectors/Industries' and 'Legal areas/practices' on their websites and some have even focused down the number of sectors in which they operate over the last five years to focus even more tightly on those in which they have built core capability.⁴ A strong implication in this service offering was that the lawyers in their firm knew the commercial and business aspects of these industry sectors well –

even if the knowledge capability within their firms was built upon a different (technical legal) premise which could not be easily transformed.

Clients of City law firms also began to become much more demanding of their external legal service providers, and research into client buying patterns and client satisfaction surveys clearly showed that the commerciality of their external lawyers has become a key factor in client decision-making and in the hiring of external counsel. For example, recent research has found there to be strong correlations that:

- in pitching to buyers of legal services, law firms are being tested especially on their understanding of the buyer's business (Gilbert, Woods and Marsden, 2010);
- relationship trust between clients and their external legal advisers is predicated not only on technical skill but also commercial insight (Woods and Marsden, 2010); and
- positive indicators of the delivery of value and excellent service amongst clients include a strong desire for the law firm to know the client's business, and to have a deep awareness of key developments in the client's industry (Gilbert, Woods and Marsden, 2010)

Recent surveys of Partners in City law firms have also reflected awareness of how important these elements have become in presenting capabilities to clients, and the change in how clients perceived lawyers with whom they worked. An industry survey (Aldridge, 2009) quoted one Partner:

Over the last few years, lawyers have increasingly started to go by industry badge rather than practice area pigeonhole. So an intellectual property lawyer, say, is now describing himself as a pharmaceutical lawyer. That perfectly illustrates the change in mindset.

In the last three years, there has also been the impact of the 'Credit Crunch' and service elements such as commerciality and a pragmatic approach have been emphasised by clients as a distinguishing factor when selecting with which law firms to work. Often these demands have been linked to innovation and 'commerciality' in fee structures (ibid.) which law firms propose to clients seeking increasingly strong value propositions, with the demands often driving price competition in the increasingly competitive and crowded legal services market. Clients have increasingly driven law firms to compete on price, even adopting approaches such as online auctions for matters determined solely by the lowest price offered.

A final element driving this broader commerciality is the imminent regulatory shift under the Legal Services Act whereby companies not owned by lawyers will be able to enter the legal services market. One core element of the Legal Services Act is to allow 'Alternative Business Structures' into the legal market whereby firms offering legal services will no longer need to be fully owned by lawyers. The purpose of this change, as set out by the Charles Plant, Chair of the SRA, is "to help to foster a more flexible and innovative market for legal services – having a major impact on consumers' experiences of legal services – stimulating competition and encouraging innovation" (Plant, 2010). With the sector's regulatory body thereby reducing its 'barrier to entry' in the market, competition will intensify and the new market entrants will drive even greater competition on price for legal services which can be commoditised (Susskind, 2008). Implications of this change for small-scale services providers of commoditised legal services on the high street are predicted to be fundamental as many renowned high-street brands in the retail and financial services sectors look to take advantage of this £2bn-£3bn market (Robins, 2011).

These regulatory changes will, no doubt, speed up even further the rise of the Legal Process Outsourcing firms (LPOs). Some of these firms have grown rapidly and now employ more legal staff than City law firms, and are set up on a model whereby they can offer commoditised legal services at 25% of the cost of a traditional City firm (Woods, 2010). These factors will, no doubt,

increase competition amongst legal services providers, forcing greater commerciality as well as intense competition over the limited talent pool of experienced lawyers.

The need for commercial awareness has therefore become increasingly embedded in the legal sector due to a number of market and regulatory driven factors. However, even with these strong drivers for change, the educational model for developing the pipeline of future lawyers had shown remarkable reticence in adapting to these market needs. City law firms are typically risk-averse and, to date, continued to use the traditional approach of recruiting the vast majority of their graduate staff from a higher education model which is geared to produce junior lawyers with purely technical capability, rather than one which will create the skill sets on which clients will depend in the future (Susskind, 2008).

It was with this background that one City firm (Simmons & Simmons) decided to make a dramatic change to the traditional approach, with the Credit Crunch's impact on the legal sector's recruitment model providing the impetus which enabled this change to happen.

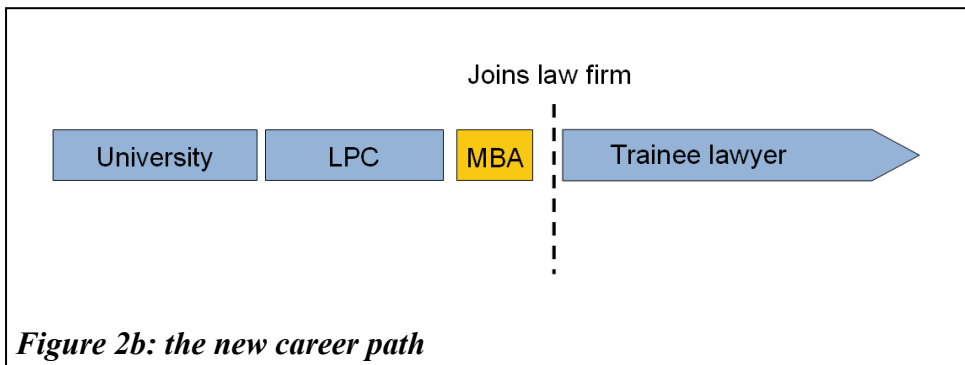
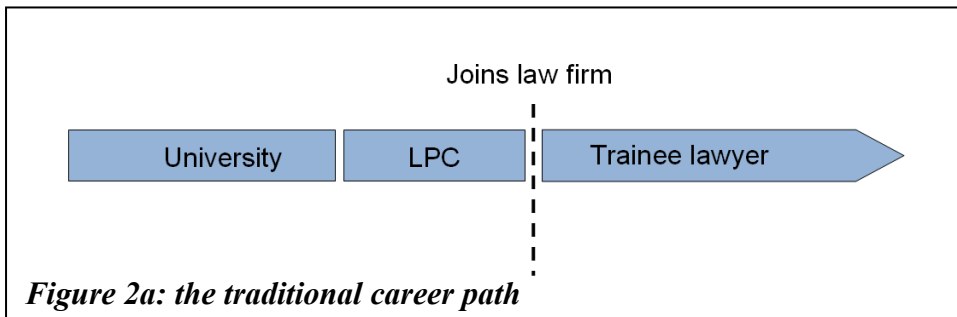
A catalyst for change: the historic graduate recruitment model in the legal sector and the impact of the Credit Crunch

The traditional recruitment model of City law firms had been to determine their numbers of future trainees two to three years in advance of the trainees beginning at the firm, with recruitment taking place whilst the trainees are still undergraduates and before they attended the year-long LPC, completed after a student's first degree. The Credit Crunch created significant problems with this model because firms had been planning the numbers in their graduate 'pipeline' for 2008-09 on pre-Credit Crunch 'buoyant market' resourcing assumptions of 2005-06. The impact of the Credit Crunch for City firms was therefore that it became apparent they would have significant spare capacity in their trainee populations following the severe and sudden reduction in firm-wide work levels.

Firms took different approaches to dealing with this sudden and acute problem. Many asked their future trainees to defer for a year (in the hope that the market situation would be better in 12 months' time), with some offering their future trainees a small grant if they would accept this deferral. Some other large firms even took the radical step of cancelling training contracts despite the fact that they knew this approach would have a significant market brand impact and their ability to attract future graduates in an increasingly competitive graduate recruitment market (Heine, 2010).

Tasked with helping to solve the same Credit Crunch resourcing problem at Simmons & Simmons, the Head of Learning & Development worked with the firm's Graduate Recruitment Partner and an external team to consider how the Credit Crunch could be an opportunity for change as well as a problem to be solved. After initial discussions, their proposed solution was to introduce a full-time MBA programme into the career path of the future trainee lawyers for the year immediately before they joined the firm, thereby solving the short-term resourcing problem.⁵ Simultaneously, however, the solution also addressed the strategic change needed to shift the firm towards a more commercial knowledge base, and also shifting dramatically the way in which this commercial and management knowledge was distributed in their firm (compare the difference in the career paths in Figure 2 and its implications for the knowledge distribution in Figure 1).

An MBA was chosen for four reasons. Firstly, its core curriculum would build the commercial and business acumen required to serve the changed demands in the legal sector (Baker and Parkin, 2005; also see Figure 3). Secondly, a frequent component of MBA programmes is a business consultancy project whereby students need to apply their business knowledge gained to a commercial context. This would allow the firm to place students at key clients, demonstrating to clients how the firm was changing its approach (which all industry research and client feedback indicated was one of their key requests) and building the business and industry knowledge of its



legal teams. Thirdly, it was a way of guaranteeing a high pace of change in the firm in terms of the redistribution of knowledge as the MBA would ensure that a whole generation of new joiners would possess the commercial and management knowledge required by clients rather than attempting to enforce this redistribution of knowledge through the firm in other ways which might encounter more resistance. Lastly, it potentially allowed Simmons & Simmons to gain ‘first-mover’ competitive advantage, with indications of success in this regard being seen in the immediate recognition of the MBA as a strategic response to the Credit Crunch resourcing issue, winning a nomination in the Financial Times’ Innovative Lawyers Report 2009 ‘Resourcing’ category.⁶ The long-term, client-focused reasons for the introduction of the MBA in terms of transforming the knowledge and skills base of the firm were recognized immediately by the firm’s leadership, as explained by the firm’s Managing Partner (Mark Dawkins) in 2009:

The launch of the MBA is extremely exciting and I see it as a keystone for our firm’s future. This is not just about sending our future trainees on a course; it is something more fundamental, which will deliver increased quality and value to our clients, and also offers a career development opportunity for our future lawyers that will be unique in the market. It is about creating a MBA that is focused on the business of being a lawyer. (cf. Spencer, 2009)

Creating the programme

The law firm immediately began planning the course with an external provider (BPP) which was in the process of opening a new business school in the City of London. This provider was well-known to the firm for its supply of legally-focused training but had taken the decision to expand its market offering into broader business education having gained degree awarding powers from the Privy Council in 2007, in effect making it a private university capable of awarding its own degrees.

Simmons & Simmons agreed with BPP that, in the first year of the MBA, the course would be run exclusively for the firm, allowing the knowledge learning outcomes to be tailored to the firm’s own client industries. Senior Partners from the firm were formed into a ‘Steering Group’ for curriculum design purposes and were paired with the module leaders who were developing the separate modules for the course. This ensured that the modules linked the educational strategies of the programme with the firm’s strategic business and industry context. Additional practical activities to drive enhanced ROI from the course included teams of the students researching weekly developments in the firm’s four industry sectors which were then fed back to the firm’s marketing and business development function for use within the firm.

One challenge was the short window of time available to design and validate the course: design began in January 2009 for a September 2009 delivery. Meticulous project planning allowed this deadline to be achieved and the final, approved curriculum maintained the desired balance of building core commercial skills together with an understanding of how these applied to the legal sector, and the sector’s own specific challenges looking forwards (Figure 3).

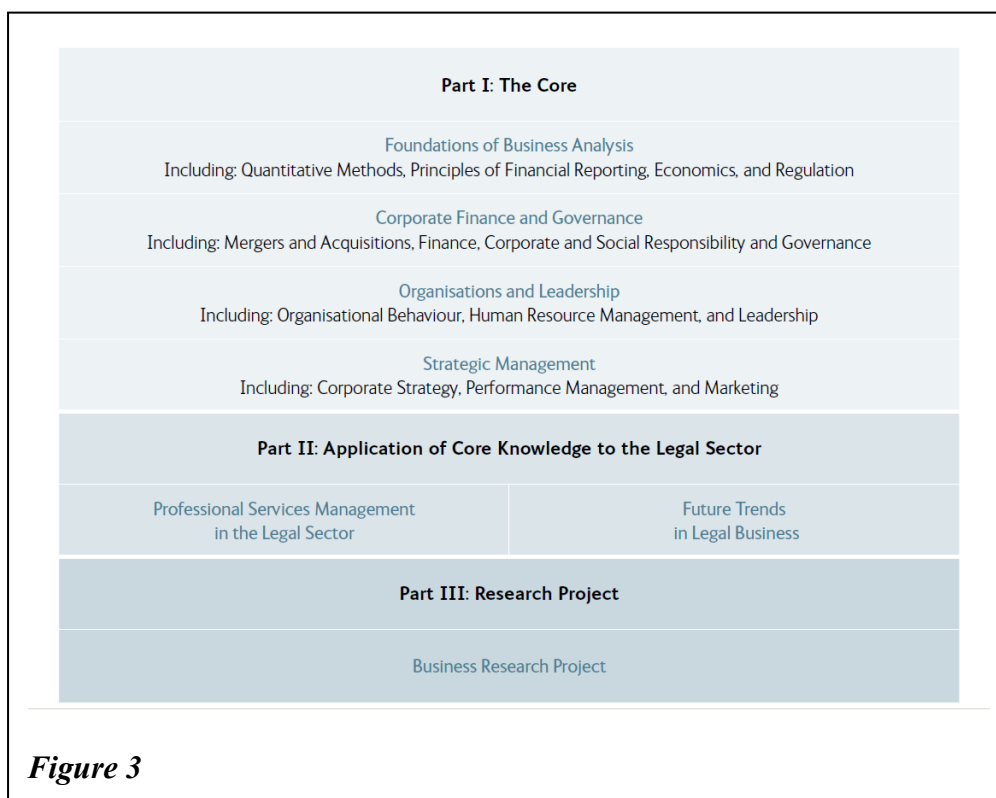


Figure 3

The impact of the programme

The long-term impact of transforming the firm’s commercial capability to deliver on its industry-focused business plan will only be clear after longitudinal research. However, there have been a number of immediate changes perceived by the various stakeholders which will now be discussed.

Increases in the level of commercial awareness

An expected, widely reported shift amongst the student group was the level of business knowledge and commercial awareness. This was noted both by the students themselves, by Partners from the firm who led case studies during the teaching weeks, and also by the senior Business School staff who managed the course.

Student self-assessment on commercial awareness towards the end of the course indicated a 190% improvement in ‘knowledge of commercial drivers in our firm’s focus sectors’, and a 224%

increase in confidence in ‘having a commercial business conversation’. Individual comments included the following:

The MBA has taught me commercial ideas and concepts that will enable me to understand clients needs better and, thus, be a better lawyer – I am also really excited that the firm is using the outputs from our industry sector research on the course already – so it is already having a real business impact for the firm and for me as an individual.

Student A, Simmons & Simmons

I have been challenged and pushed to learn more about the business environment and apply analytical skills I did not realise I had – and I feel that I have made enormous progress even over the first term.

Student B, Simmons & Simmons

The course has fundamentally changed the way I think and has led me to approach problems differently. Previously I would begin from my technical legal knowledge, but what the course has taught me is to approach the client’s issue the other way around – starting from their business objective and then working back to the legal knowledge which will help to create a commercial and pragmatic solution for them.

Student C, Simmons & Simmons

A quick note to say that I have just come back from BPP and helping input on the M&A case study. It was in full flow when I arrived and there was a tremendous level of engagement and teamwork from, I am pleased to say, a hugely impressive group of trainees. What particularly struck me was the sense that each team had a very clear view of the financial and business objectives they were each seeking to achieve and not losing sight of the numbers. That is a quality I have noticed in some of the best corporate lawyers I’ve known. It’s quite inspiring to see them in action and working together even before they join us, and what I saw of the case study was excellent. We have an exciting pipeline of trainees, if what I saw is anything to go by.

A Senior Corporate Partner from the firm

The students have demonstrated remarkable progress in the initial four months of the programme. Partners within Simmons & Simmons have remarked upon the level of business maturity demonstrated by the students in briefings the students are providing to the firm. Similarly BPP faculty have commented upon the quality of the student output.

Chris Brady, Dean of BPP Business School

When students joined the firm, a number of Partners commented on their maturity and commerciality, confidence around clients, and their ability to critically assess processes within the firm, driving change and business improvement initiatives. Some of their MBA projects were also seen as of an exceptionally high standard, being used as catalysts for change in procedure both within the law firm and in the client entities also.

Development of collaborative approaches to working

Legal sector professionals are traditionally very individualistic in their working styles (Cutler and Daigle, 2003); their individual expertise represents their ‘USP’ to the firm and HR teams across

professional service firms (including the legal sector) have tried for many years to drive enhanced levels of collaboration, especially cross-practice group and office, often through reward incentives.

The MBA helped to break down this norm, with a significant result of the programme being that the students understood that success on the course was about working as a team. The students themselves also drew this out as a significant benefit of the programme. As one commented:

One key learning from the programme for me, in addition to the business knowledge, is the power of collaboration to achieve team results, as we needed to do on many tasks throughout the year – also, it has formed us into a very effective team where we feel comfortable challenging each other to get to the best result and much more confident around the senior Partners from the firm whom we met during the year and also the clients we interacted with on the project placements.

Student D, Simmons & Simmons

Client relationship enhancement – and the impact on legal service delivery.

One early major impact was positive media interest in the course (Spencer; 2009; Tahir, 2009; Fickling, 2009; Lind, 2009; Wilce, 2009; Langdon-Down, 2010).⁷ The course has also received recognition through nomination and receipt of a number of awards. Following the initial recognition in the *FT Innovative Lawyers Awards* in 2009, the firm was shortlisted in the 2009 *National Training Awards*, *Training Journal's Awards*, *Informatology's Peer Innovation Awards*, and won the *British Legal Awards* 'Education Initiative of the Year 2010' and the *Lawyer HR Awards* 'Excellence in Training 2011'.

In addition, the Business Projects gave the firm the opportunity to approach its key clients and state that it wanted its future lawyers, currently doing an MBA, to work with them on business (not legal) projects, thereby explicitly indicating a strategic change in both the skill-sets of its teams, its knowledge distribution, and also the ways in which it could work with clients going forwards: a step-change of inputting into their business strategies rather than purely on the execution of legal frameworks.

This change underpinned the law firm's desired shift in its client interaction, and the messages which it sent to them, and again linked back to research into the ways in which clients were looking to work with their legal service providers (Gilbert, Woods and Marsden, 2010; Woods and Marsden, 2010). The authors of the research commented that:

The Simmons & Simmons client partnerships through the MBA research projects go to the heart of the best practice in client service and what clients are increasingly demanding: namely service providers who work closely and collaboratively to create deeper relationships – and ones who don't just talk law, but spend time talking business with the companies they service, working jointly on these broader objectives with them as value-added services. Their innovation is also excellent because it means that they are really creating a broader team within the client – another key desire of the client Counsel from our research. In other words, it helps the in-house counsel look good too, as they will be seen to deliver a value-added service to their own colleagues and foster collaboration internally.

Henry Marsden, Partner, Møller Professional Service Group, Cambridge, 2010

The whole point of MBA research projects is to work in collaboration with the host entity, in this case Simmons & Simmons' clients, and to allow the students to analyse a business issue, reaching their own conclusions and applying the learning from the relevant module of the MBA course. I don't know of any law firm in the world which has done this and, if I were in the client's shoes, it would really distinguish the Simmons & Simmons teams and their

service offering from other law firms – it would say to me that they are interested in developing their people to understand more than purely legal issues, and that they want to work with their clients as a partnership.

Chris Brady, Dean of BPP Business School

Between Years 1 and 2 of the course there was also a noticeable distinction in the take-up of clients on the offer of students to conduct the projects. For clients, there were positive experiences such as students driving forward internal initiatives and, for the law firm, it supported more strategic interactions with their key client contacts. Internally within the firm this was also a noticeable change from Years 1-2; the number of requests from client Partners to be able to offer the MBA project resource to their clients increased markedly.

A unique offering for graduate recruitment purposes

The MBA also gave to the firm a unique offering in the graduate recruitment market as the only City law practice offering an MBA qualification as part of its qualification process (see Figure 4). With the increasing challenge of attracting the best graduates to the legal sector, and the very traditional education and ‘specialised knowledge’ development focus for the route into the profession outlined above, the offer of a more business-focused (and portable) qualification played strongly into the career offer to Generation Y; the MBA offered skills and knowledge not previously provided at junior lawyer level and also gave access to senior staff both in the law firm and in client organisations.

The screenshot shows the Simmons & Simmons website. The header includes the company logo, a search bar, and a navigation menu with links: OUR FIRM, OUR CLIENTS, PUSHING BOUNDARIES, PROFILES, YOUR CAREER, and APPLY NOW. Below the navigation is a breadcrumb trail: Home > Your Career > UK > Training Contracts > Our MBA. The main content area is titled 'OUR MBA' and contains the following text:

If you're working for a law firm, it goes without saying that you're on hand to give clients legal advice. But there's more to it than that. Ultimately, you're helping clients to find ways to run a more successful business. To this end, it's vital that you have commercial acumen and a thorough grasp of how the most enterprising businesses operate.

That's why we launched our MBA course in 2009. A partnership with BPP Business School, it's the first of its kind in the UK, and represents a unique opportunity for trainees the year before they start at Simmons & Simmons. Our MBA initiative recognises that there's more to being a good lawyer than merely knowing the ins and outs of case law or litigation. At Simmons & Simmons, we aim to nurture and develop well-rounded individuals who can think for themselves, take the right decisions at the right time, and have an aptitude for business.

Ultimately, this adds value for our clients, who will be dealing with lawyers better equipped to provide them with commercially focused advice, who have stronger leadership skills, and are more effective practitioners on every level.

As well as classroom and online study, you will be asked to put your newly acquired skills to use, producing a 'live' piece of practice-based research or consultancy work for the firm. If you choose to do an MBA, you'll not only 'hit the ground running' as soon as you join the firm, but when you qualify as a solicitor, you'll already be one step ahead of your peers at other firms. The MBA course is voluntary, with currently around half of our trainees taking up the opportunity.

Key Benefits

- Giving you the essential knowledge and skills for success in the legal business environment.
- Allowing you to understand the commercial drivers of our clients' businesses.
- Developing skills that will enable clients to see you as part of their business advisory team (not just legal advisory team) because you will understand the business implications of your legal advice.

Other sections visible include 'PROSPECTUS 2010' with an airplane image and a 'PROFILE' section for Nick Benwell, Partner, with a 'Read profile' link.

Figure 4

Conclusions

As mentioned towards the start of the article, the effects of the firm’s implementation of the MBA, and its consequent dramatic change both in the lawyer career path and also in the distribution of knowledge in the firm, will become apparent only after more generations of junior lawyers have taken the qualification and reached more advanced career stages in the firm. However, what is clear

already is that there have been significant changes due to the distribution of significantly different knowledge earlier in the career path: a dramatic up-skilling in industry sector and management knowledge, together with much greater awareness of a law firm's strategy, profitability models and best practice in managing client relationships.

Within the firm, immediate, positive observations have included a sudden shift in the junior lawyers' commercial capability, their attitude towards collaboration and team focus, and the realisation that they need to approach their work from a business perspective first, working back to their technical legal solution. In other words that, despite their purely technical legal education at university and on the LPC, the MBA has had a dramatic 'disrupting' effect on their self-image and awareness of how important the commercial element to their knowledge base is, and the modern service which clients now want lawyers in a City law firm to be delivering to them; and we know clear from many generations of lawyers who have preceded them that the 'technical specialist' mindset is one which is much more difficult to alter in later career stages even in market circumstances which indicate clearly of the need for change.

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¹ The path to becoming a solicitor qualified to practise in England & Wales is either to undertake a law degree, followed by the Legal Practice Course (LPC) (both of which have a nearly exclusive technical focus) or, for those who have done a non-law degree, to undertake the Graduate Diploma in Law (again, a heavily technically-focused degree) followed by the LPC. It is generally at graduate level where courses exist focusing on broader, business elements of law, and City law firms do not recruit heavily from those who follow these graduate programmes.

² On this issue, it is noteworthy to compare the approach in the large accountancy firms, where formal management responsibilities such as conducting annual performance reviews have been passed down below Partner level in the large accountancy firms for at least 10 years, with middle managers already given these type of experience and responsibilities (e.g. running annual performance review meetings) much earlier.

³ As with all professionals, senior lawyers (especially Partners) have traditionally found it difficult to identify with this 'selling' aspect of their role; their self-image (and area of interest) is rather one of a technician delivering expertise. There are some complex internal dynamics within firms which reinforce this perception and 'self-image', a core one of which is that a Partner's credibility and authority base over peers within their practice group is often governed by preserving their input to client work rather than adopting a purely 'management role'. These challenges of the 'producer-manager' in professional service firms are summarised in the classic Harvard case study of Cambridge Consulting Group (Lorsch and Gabarro 1995).

⁴ For example, see the <http://www.wragge.com/default.asp>. Many of the UK's 'Magic Circle' law firms also emphasise the industry sector focus strongly on their websites, e.g. Slaughter & May, Clifford Chance, Allen & Overy, and Freshfields.

⁵ The effect of the deferral by introducing the course was not just for the following year, but was an ongoing deferral benefit, as it was proposed to run the course on an ongoing basis. Therefore, by the time that the second and third courses had been run, the ongoing deferral would mean that less graduates would need to be recruited, thereby generating cost savings in the long-term graduate recruitment pipeline. Of the 41 prospective trainee lawyers offered the MBA programme, 27 accepted, thereby reducing the trainee entry in September 2009 to 14 trainees.

⁶ For the full report, see: http://www.ft.com/cms/s/0/2f5fadd8-bc49-11de-9426-00144feab49a,dwp_uuid=ec1082a4-08a3-11de-b8b0-0000779fd2ac.html#axzz1IeqsP5GU.

⁷ The media interest in the initiative was immediate and broad. In the legal sector, the stories focused initially on the firm's innovative approach compared to other law firms to solve the resourcing issue created by the Credit Crunch, but increasingly focused on the more strategic, long-term objectives for introducing the course, hence the number of subsequent awards gained by the firm both within and outside the legal sector for the introduction of the MBA.