

Benchmark

The 2004 *Canadian Lawyer* law firm associates' survey



The perspective from newly minted lawyers can be instructive and this year more than 35 firms are included in our annual survey of law firm associates. As usual, ever-rising demands were among the major irritants, but new questions about how time is billed were also in evidence. Some associates noted greater sensitivity to quality-of-life issues by employers, but overall, the life of the young lawyer still adds up to one thing: work. **By Kirsten McMahon**

Many young lawyers say that they sometimes have difficulty maintaining a balance between their work and personal lives due to the intense pressure to meet billing targets, but they generally find law to be a challenging and rewarding career. "Law is a great career if you are prepared to meet the challenges ... In any case, it opens many doors if an orthodox legal career does not suit the individual," says one Toronto lawyer. A lawyer from Edmonton says, "It's very interesting, but a tough way to make a living, especially compared to what some clients do for a living."

This year, almost 230 qualifying associates from mid-sized to large firms found the time to fill out the survey, rating their firms on many aspects of firm life. Of those surveys we received, more than 35 firms were included in the final tallies. To be included in the survey, a firm had to have enough associates within the years of call we looked at (2001-04). Any qualifying firm that did not have enough survey respondents was not included. If your firm is not listed, chances are that not enough of your associates took part in our survey (or, you may not have enough associates within our survey criteria).

Billable hours, quality of life and workloads topped the list of complaints. Other concerns and trends include:

- While billing targets and expectations that associates will surpass these targets remain about the same as last year, there are also more firms with no targets;
- The waiting periods for full partnerships is about the same as last year at the majority of firms, but some firms are cutting the period almost in half — three to four years;
- Every firm surveyed was open to flexible work arrangements in appropriate circumstances;
- Salaries and hourly rates for first-year associates across the board remain about the same as last year; and
- Among respondents who noted unfair practices in their firms, many observed that discrimination was typically apparent at the partnership level, where men continue to outnumber women by a large margin.

This year's associates said the problems they face weren't just confined to their firms or Bay Street, but reflect the way the profession is run in general. According to one male Toronto associate: "A Bay Street law firm is not a good career choice for someone with a young family. My advice is to get into a Bay Street law firm early in life and then get out and start a family."

"So long as we have the concept of the 'billable hour,' law firms will continue to be completely dysfunctional places to work."

Billable hours and rates

"I feel as though I am always walking a fine line between doing enough work to do a good quality job and to be prepared, while on the other hand, spending as little time as possible for the client," says one Toronto

AT-A-GLANCE NATIONAL FIRM RANKINGS

Here's how this year's associates ranked their firms in areas like partner feedback, training, years to make partner, financial satisfaction and whether they would recommend the firm as a place to work. If your firm is missing from this list, it means that there weren't enough associates within the years we polled (2001-04), or not enough associates responded. In the event of a tie, firms are listed in alphabetical order.

Firm	City	Score %
Goodmans LLP	Toronto	86
Davies Ward Phillips & Vineberg LLP	Toronto	80
Duncan & Craig LLP	Edmonton	80
Hicks Morley Hamilton Stewart Storie LLP	Toronto	80
Wildeboer Dellelce LLP	Toronto	80
WeirFoulds LLP	Toronto	80
Miller Thomson LLP	Vancouver	79
Torys LLP	Toronto	79
Blake, Cassels & Graydon LLP	Toronto	78
Fasken Martineau DuMoulin LLP	Vancouver	78
Gowling Lafleur Henderson LLP	Calgary	78
Heenan Blaikie LLP	Toronto	78
Hicks Morley Hamilton Stewart Storie LLP	Waterloo	77
Borden Ladner Gervais LLP	Vancouver	76
Fasken Martineau DuMoulin LLP	Toronto	76
Osler, Hoskin & Harcourt LLP	Toronto	76
McLennan Ross LLP	Edmonton	75
Siskind, Cromarty, Ivey & Dowler LLP	London	75
Fraser Milner Casgrain LLP	Toronto	74
McInnes, Cooper	St. John's	74
Stikeman Elliott LLP	Toronto	73
Borden Ladner Gervais LLP	Toronto	72
Macleod Dixon LLP	Calgary	72
Tapper Cuddy	Winnipeg	72
Cassels Brock & Blackwell LLP	Toronto	70
Gowling Lafleur Henderson LLP	Toronto	70
Aird & Berlis LLP	Toronto	69
Bennett Jones LLP	Calgary	69
Lawson Lundell	Vancouver	68
Miller Thomson LLP	Toronto	67
Goodman and Carr LLP	Toronto	66
Pitblado	Winnipeg	66
Lang Michener LLP	Vancouver	64
McCarthy Tétrault LLP	Calgary	63
White, Ottenheimer & Baker	St. John's	63
McCarthy Tétrault LLP	Toronto	62
Blaney McMurtry LLP	Toronto	61
Farris, Vaughan, Wills & Murphy	Vancouver	60

associate. "The biggest pressure comes from the high billable rates we charge right from the outset."

In a move away from our surveys of the past, the biggest gripe this year concerned billable hours and targets, followed by expectations to exceed those targets.

"There's constant guilt and concern about not being able to meet the targets, which stays with you long after you leave the office," said one respondent. "You end up spending long hours at the office trying to make targets, and the remainder of your day worrying about the fact that you're not on the mark. It's psychologically draining," she said.

The national average for the annual budget of billable hours was just over 1,600 hours. However, even more is expected in British Columbia and the Prairies, where targets average more than 1,700 hours.

"The pressure to take longer on certain items because you can bill more time to the file is high," says one associate from Calgary. "There doesn't seem to be any reward or recognition for someone who efficiently performs tasks. Not only do they just get more work heaped on them, but in contrast they look like billable slackers because the inefficient worker is lavished with praise for 'billing the lights out' on the file," he says.

Many respondents stated that targets were a huge factor in the stress and anxiety that they experience on a daily basis. "I would love to be super busy and exceed my target — I wish I could bill 2,000 a year," says one respondent from Winnipeg. "Unfortunately the flow of work to me has been very slow this year, so I will not be able to make my target. The knowledge that I will not meet my target puts incredible stress on me — everyday I wake up in the middle of the night worrying about the consequences of not meeting my target ... It seems like the firm is unintentionally setting me up for failure."

On the other hand, some respondents stated that they don't let those anxieties about targets affect their lives. "I am fully prepared not to meet my targets," says one London, Ont. associate. "Quality of life is more important."

It's still rare, but there are several firms included in our survey this year that have done away with the concept of targets for billable hours. One Toronto associate says that his firm has no billing targets, setting it apart from others in Toronto.

"There's an expectation that everyone takes a fair share of the load — the firm has been very successful (through careful and judicious recruiting of the right people) with this approach," he says.

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Perks and compensation

Overall, salaries remained at about the same level as last year in all areas we surveyed, and starting salaries were similar in each region. For the most part, associates are relatively satisfied with their salaries, bonuses and perks. (*See our Province-by-Province Analysis for average starting salaries.*)

Respondents had an opportunity to note any type of perk or initiative that they think sets their firm apart. Associates at Borden Ladner Gervais LLP, praised the firm's in-house continuing legal education as well as the firm's supportive culture.

Respondents at Toronto's Aird & Berlis LLP, as well as those at Davies Ward Phillips & Vineberg LLP, appreciated the firm's 3-year partnership track. At Hicks Morley Hamilton Stewart Storie LLP, respondents raved about the associate skill training sessions and one associate said the firm provided full compensation for her master's degree.

Associates at Fraser Milner Casgrain LLP receive a free Blackberry, and their secondments are "second to none," according to one respondent.

At Duncan & Craig LLP, associates talked at length about personal/professional business plans that each associate creates. "Associates have quarterly meetings with a managing partner and a consultant to discuss our career objectives and to establish a career plan. The firm assists each associate in meeting their career objectives in any manner that is appropriate," says one respondent.

And the winner is ...

For the second year in a row, **Goodmans LLP** in Toronto took the honours for being the top-rated firm in Canada. Based in Toronto, with offices in Vancouver and Hong Kong, Goodmans is known as one of Canada's premier business law firms.

Their clients include some of the country's largest corporations and financial institutions, as well as numerous American and international organizations from a broad spectrum of industries.

Perks at Goodmans include, according to associates, firm retreats, a technology allowance and the "best environment of any of the large law firms." One Goodmans associate says: "I would not practise anywhere else out of all the seven sisters." Says another: "There is a warm atmosphere in the firm and very few boundaries socially between associates and partners. Goodmans has a true open-door mentality. Most partners are happy to answer questions and devote the necessary time and attention to young associates." **OL**

Kirsten McMahon is an editor at Law Times, the newspaper for Ontario's legal profession.

Online Convenience

Fill out or view results of our surveys online at
www.canadianlawyermag.com/Pages/surveys.html

Many lawyers use the results of *Canadian Lawyer* surveys. Therefore, it is important that we have as broad a cross-section of participants as possible. We need every lawyers input to help ensure the results fairly represent the concerns and issues of everyone in the legal field.

Your responses will make a difference, both for those already practising law and future law graduates.

To maintain credible results, we also ask readers to take the time to identify yourselves. This is important and is seen by only one person — the editor who verifies and tabulates the survey results. As with all our surveys, rest assured your information, your identity (and your firm's) will be treated with the highest degree of confidentiality for both printed copies and on the web.

CANADIAN Lawyer

PROVINCE-BY-PROVINCE ANALYSIS

This summer, almost 230 associates in law firms across the country filled out our annual questionnaire about law firm life. More than 35 firms are included: we exclude those with too few responses to be meaningful. A formula developed over the past decade of surveying, weighs the points given to each answer according to the importance

of the subject matter. We then translate the average of the weighted scores into letter grades and percentages, where applicable. In all, a maximum of 130 points could have been attained by a firm. We relied on responding associates to know their assigned billing rates and the firm's starting salaries.

	PARTNER FEEDBACK	EVALUATION PROCESS	TRAINING AND GUIDANCE	PARTNER CANDOUR	PARTNERSHIP POLICIES	YEARS TO MAKE PARTNER	FAIRNESS OF ASSIGNMENTS	ANNUAL BUDGET OF BILLABLE HOURS	FLEXIBLE TIME	OFFICE RESOURCES	CLIENT CONTACT	INTEREST LEVEL	RESPONSIBILITY	ASSOCIATE RELATIONSHIPS	WORK ATMOSPHERE	STARTING SALARY FOR ASSOCIATES	FINANCIAL SATISFACTION	DISCRIMINATORY PRACTICES	INTENTION TO STAY (%)	JOB SATISFACTION (% OF YES)	RECOMMENDATION (% OF YES)	NUMBER OF RESPONDENTS	COMPOSITE SCORE (%)
ATLANTIC																							
McInnes, Cooper	C	Y	B	C	A	7	B-	1600	B	B+	B	B	A-	A	\$43,000	C	A	100	100	100	5	96	
White, Ottenheimer	C	N	C	C	D	9	B	1200	B	B+	A	B	B+	A	\$37,000	B	B+	50	100	100	4	82	
Atlantic Average	C	N/A	B-	C	C	8	B-	1400	B	B+	B+	B	B	A-	A	\$40,000	C+	A-	75	100	100	5	89
ONTARIO																							
Goodmans	B-	Y	B+	B	B	7	A-	0	B	B+	B	B	B-	A	B+	\$90,000	B-	A	100	100	100	8	112
Hicks Morley	B	Y	A-	B	B	6	B+	1600	B	B+	A-	B+	B	A-	B+	\$80,000	C	A-	100	100	100	9	104
WeirFoulds	A	Y	B	B	B	7	B	1700	B	B	A	B	B	B+	A	\$85,000	B	A	100	100	100	4	104
Wildeboer Dellelce	B-	Y	B	B	B	6.5	A	0	B	A	B+	B	B	A-	A	\$91,500	B	B	100	100	100	4	104
Blake, Cassels	C+	Y	B+	C+	B	8	B	1750	B	B+	B	B+	B+	B	B+	\$93,000	C	A	75	75	100	5	102
Heenan Blaikie	B+	Y	B	B+	B	7.5	A	1650	B+	B+	B-	B+	B	B	A-	\$90,000	B-	B	100	100	100	4	102
Torys	B+	Y	B+	B	B	8	B	1800	B	B+	B	B	B-	B+	A-	\$90,000	B	B-	60	100	100	10	101
Hicks Morley (Waterloo)	B	Y	A	A	B	6	B	1600	B	B	A	B	B	B	A	\$85,000	B	B	100	100	100	4	100
Fasken Martineau	B-	Y	B+	A-	B+	7	B	1700	B	B+	B-	B-	B	B+	B+	\$90,000	B-	B	75	100	100	17	99
Osler, Hoskin	C-	Y	B	B	B	7	B+	1700	B	B+	C	B	B-	B	B+	\$90,000	B	A	75	75	100	5	99
Siskind, Cromarty (London)	B	Y	B-	B	B	7	B	1500	B	B-	B+	B	B+	B	B+	\$59,750	B+	A	50	100	100	4	98
Davies Ward	B	Y	A	N+	A	2.5	B+	n/a	B	B+	B+	B	B	B+	A	n/a	B	A	100	100	100	5	97
Fraser Milner	B-	Y	B-	B-	C	8	B-	1700	C+	B	B-	B-	B	B	\$90,000	C+	B	80	90	90	18	96	
Stikeman Elliott	B-	Y	B	C	B	7.5	B+	1780	B-	A	A-	B	B+	A	B+	\$100,000	C-	B	50	50	100	4	95
Borden Ladner	C+	Y	B	C+	B+	7	B-	1730	C	A-	B	B-	B+	B+	B	\$97,000	C	A-	50	100	100	6	94
Cassels Brock	B-	Y	B	A	B+	7	C+	1800	C	B-	C	B	B+	A	A	\$90,000	B-	B	60	100	70	9	91
Gowling Lafleur	B-	Y	C+	C	B-	7.5	B	1750	B	C	C	B	C	B+	B	\$90,000	C	A	100	100	100	4	91
Aird & Berlis	B	Y	B	B	B	5	B	1730	B	B	B	C	B-	B	B	\$88,500	B-	B	50	75	75	6	90
Miller Thomson	B-	Y	B-	B	B+	8	B-	1700	B-	B-	B	B-	B	B	B+	\$89,500	C+	A	50	50	50	7	88
Goodman and Carr	B-	Y	B-	B	C	7	B	1750	C	B+	A	B+	C+	B	B+	\$90,000	B	C	50	50	50	4	85
McCarthy Tétrault	C+	Y	C	C+	A-	7.5	B-	1700	B	B	C-	B-	C	B	B-	\$88,500	C	B	40	50	50	9	80
Blaney McMurtry	C+	Y	C	C+	D	8	B+	1750	B	B	C	B+	B+	C	B-	\$80,000	C	B+	40	40	60	5	79
Ontario Average	B	Y	B-	B	B	7	B+	1680	B	B	B+	B	B	B+	B+	\$87,450	B	B	77	85	90	7	95
PRAIRIES																							
Duncan & Craig (Edmonton)	B	Y	A	A	B	7.5	B+	1550	B	A	B	B+	B+	A	A	\$52,000	B	B	100	100	100	5	104
McLennan Ross (Edmonton)	B	Y	B	A	B	8	B	1500	B	B-	B	B	B	A	A	\$49,900	C	B	100	100	100	4	98
Macleod Dixon (Calgary)	C+	Y	B+	B	C	7.5	B	1800	B-	B	A	B	B-	B+	B+	60,000	C	A	50	100	100	4	93
Tapper Cuddy (Winnipeg)	A-	Y	B	B+	B	8	B	1600	B-	B	C	B-	B-	B+	A	\$42,000	C	A	100	100	100	4	93
Gowling Lafleur (Calgary)	B-	Y	C+	C	B-	7.5	B	1750	B	C	C	B	C	B+	B	90,000	C	A	100	100	100	4	91
Bennett Jones (Calgary)	C	Y	C	C	C	9	B	1800	B	B+	C	B+	B	B+	B	\$60,000	C+	C	100	100	100	5	90
Pitblado (Winnipeg)	C	Y	B-	B-	B	8	B+	1600	B	B	B	B	B-	C+	B	\$35,000	C	B	100	100	100	5	86
McCarthy Tétrault (Calgary)	B-	Y	C	C	C	9	B-	1700	B	B	B-	B	C+	B	A	\$75,000	C	B	65	80	80	4	82
Prairies Average	B	Y	B	B	B	8	B	1660	B	B	B-	B	B	B+	B+	\$54,860	C	B	89	97	97	4	93
BRITISH COLUMBIA																							
Miller Thomson	B	Y	B+	B+	A	7.5	B	1700	B	B	A	B	B	B+	A	\$73,500	C	A	100	100	100	4	103
Fasken Martineau	B	Y	A	A	B	6.5	B+	1720	B	B+	B	B	B-	A	A	\$70,330	A	C	100	100	100	5	102
Borden Ladner	B+	Y	B	B	B+	6	B+	1650	C	B	C	B-	C+	B	B+	\$73,600	C+	B	80	100	100	8	98
Lawson Lundell	B	Y	C+	C	B	7	B	1600	B	B	C	B	C	B+	A	\$72,500	C+	A	50	50	50	4	88
Lang Michener	C+	Y	D	B-	B	8	C	1725	B	B	B	B	B	C+	B	\$83,000	C	A	50	50	50	4	82
Farris, Vaughan	C	Y	C+	D	D	9	B	2000	B	B	B	B	B-	C	B-	\$81,200	B	D	50	100	100	4	72
B.C. Average	B	Y	B-	B-	B	7	B	1730	B	B	B	B	B	B-	B	\$72,600	C	B-	71	83	83	5	91
National Average	B	Y	B-	B-	B	7.5	B	1620	B	B	B	B	B	B+	B+	\$63,730	C	B	78	92	93	5	92