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For Would-Be Partners, The Waiting Is The Hardest Part

By Claude Solnik

November 27, 2006, was a real nail-biter of a night for Joe Poe and Laurine Rubin.

The two sat in their offices at Uniondale's Rivkin Radler, waiting to find out whether they would be named partners, and tried to think about anything else.

"I tried to get some work done while I was here," said Rubin, who specializes in litigation and appeals. "It was a little difficult."

It happened to be Poe's birthday, and he spent it wondering whether he'd get a bright new candle on his career cake or a pat on the back and a "better luck next time."

"It was a long night," he said. "But election nights usually are."

While firms typically boast no more than a few partners at a time, dozens of lawyers over the past few months have been formally ushered into this inner circle of law leadership, some as equity partners (with a formal stake in the firm) and some as non-equity partners, with the benefits of rank and, typically, a healthy raise.

Whoever makes partner typically undergoes the same nerve-wracking experience enjoyed by Poe and Rubin. After the nominating comes the waiting, followed by some waiting and then ... more waiting.

"I vividly remember going through the same experience, having been nominated and patiently waiting," said Bill Savino, the Rivkin Radler managing partner who made partner in the 1980s. "I was out of town. I landed at LaGuardia and rushed to the office as

fast as I could."

Turning the screw a little tighter is the fact that not everyone nominated is actually made a partner. Some lawyers take this as the ultimate professional slight and leave the firm.

"You try to manage that process by explaining to those folks that it may have been a competitive class," Savino said. "The system may be imperfect. But we're hoping that person remains energized and our confidence remains with that person."

At Rivkin Radler and most other law firms, partners nominate prospective partners. "The thought behind that is those partners are in a position where they have evaluated others over time," said Savino.

Rivkin Radler partners generally fill out and submit nomination forms by Thanksgiving. The firm puts together information packages about nominees - including time at the firm, department, productivity and other data - and then Rivkin Radler's executive committee recommends a course of action, followed by a debate and open vote.

"We do not ever have a secret ballot," Savino said. "Ever."

Decisions on who makes partner include economic considerations such as billable hours (as well as non-billable hours) and how lawyers participate in educational seminars, bar association functions and pro bono work, Savino noted.

The path to partnership typically lasts a minimum of six or seven years, but as Savino put it, "It essentially starts the day you're here."

"Longevity in and of itself does not assure promotion to partner status," he said, but "it is clearly a factor."

Whatever an attorney's qualifications, the wait for the final verdict can be excruciating, as it was for Poe and Rubin. And what of Rivkin Radler's dynamic duo?

In the end, the suspense proved worth it: Both made the cut. Poe found out when Steve Smirti and Celeste Butera, who nominated him, walked into his office and gave him the good news. Frank Raia, the partner who nominated Rubin, did the same.

Now comes the real challenge: living up to their new duties. Or, as Poe put it, facing "the expectations, the way other attorneys perceive who you are and the added pressure of being a partner."

Those who have been partner for a year or more say they now see more of how a firm works. **"I felt like I finally arrived at the destination I was hoping for for a long, long time," said Michael Cardello, who made partner at Garden City's Moritt Hock Hamroff & Horowitz in 2006. "When you go to law school, if you want to be in private practice, one of your goals is to be a partner."**