# Municipal Law Office Succession Planning

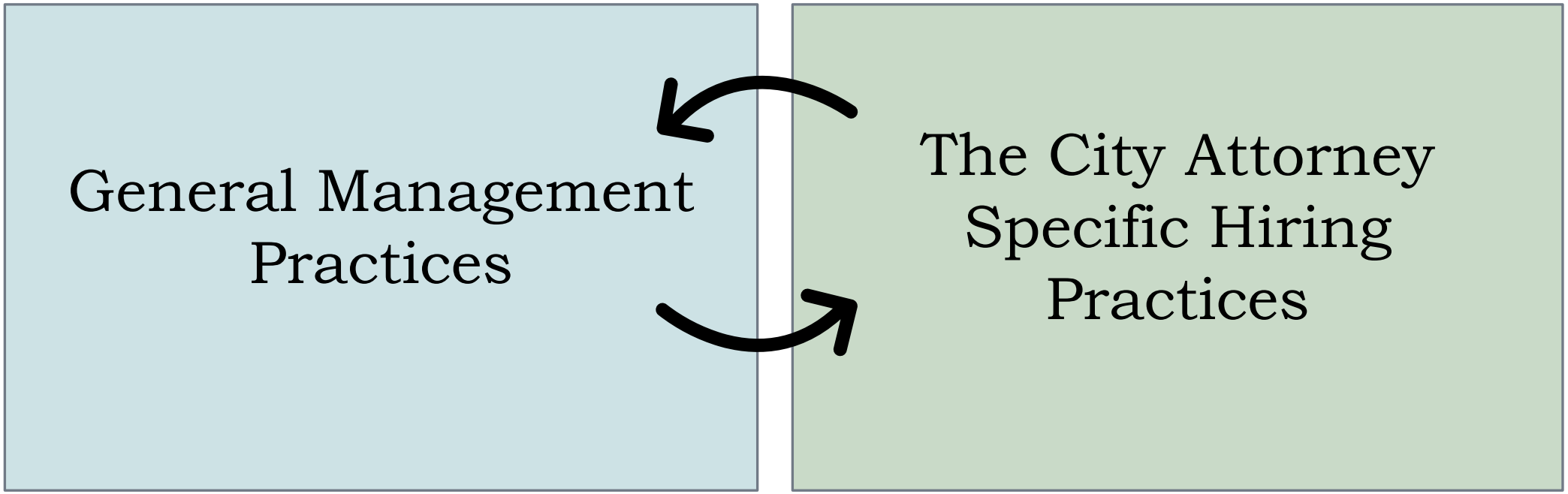



**Stephen K. Postema**

City Attorney (retired)

Ann Arbor, Michigan

# Good Succession Planning Is Necessary for Hiring and Retention



# Evaluate Your Hiring Practices



- Is this an opportunity for internal promotion?
- Is this hire an opportunity to shift job responsibilities within the Office?
- Have you cultivated a pipeline of attorneys who want to become municipal attorneys?
- Do hiring practices embrace Diversity, Equity, and Inclusion?
- Do outside counsel expenditures justify further internal hiring?

# Develop An Overlapping Hiring Program For Retirements



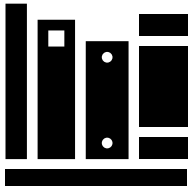
Retention Agreements for Date-Certain Retirements

**Three to Nine Month Overlap**

# Develop An Overlapping Hiring Program For Retirements



Retention Agreements for Date-Certain Retirements



**Capture of Historical Knowledge for a Smooth Transition**

# Develop An Overlapping Hiring Program For Retirements

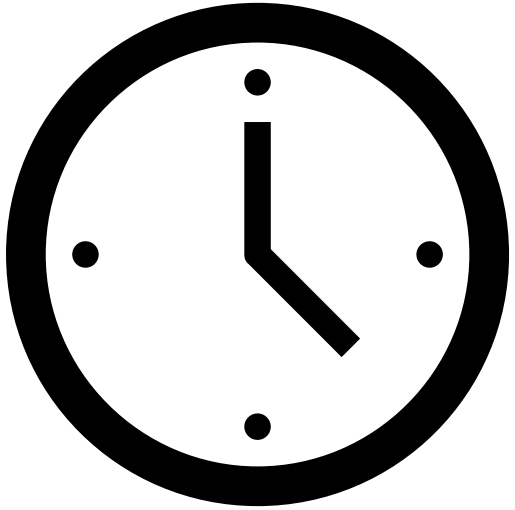


Retention Agreements for Date-Certain Retirements

**Demonstrates Need for Additional FTEs**

# Track Attorney Time

Necessary for Personnel Evaluations



For Job Posting: Snapshot of Yearly Job Responsibilities

Demonstrates Office Production by Matter

Educational Benefits for the City Council

# Ensure Salaries for New Hires Are Equitable Within the Office



Opportunity to raise salaries for existing employees

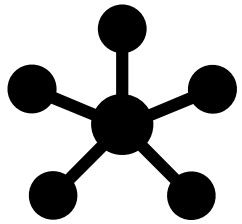
# Complete Personnel Reviews

Feedback from Internal Legal Customers

Attorney Development and Goal-Setting

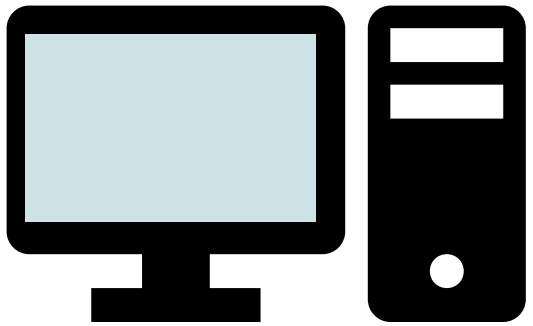
Current Reviews Helpful to New City Attorney

# Delegate Responsibilities



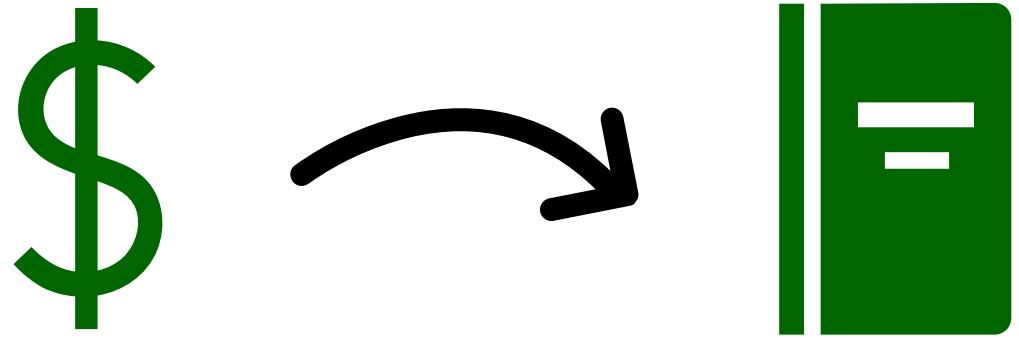
1. Part of Continuous Employee Development
2. Creates Valuable Redundancy in Office
3. Part of Specific Succession Plan for City Attorney Hiring
    - Delegate Responsibilities Out and New City Attorney can be comfortable that everything is getting done.
    - New City Attorney can decide what Responsibilities she will incorporate back into her portfolio

# Organize Data to be User Friendly for Office and Successor Attorney



- Make this an ongoing review
- Make sure search mechanism is not over-inclusive
- Develop specific folders for sensitive advice

# Leave Appropriate Money for Transition in Budget



# Prepare The Council for City Attorney's Departure



1. Delegate Council contact **before** retirement.
2. Inform the Council that current budget and staffing will be **immediately reviewed** by the successor.

# Prepare Office for New City Attorney

**Remind them that…**



There are there are many effective leadership styles.



Assessment of staff by new attorney is normal.

# Work Out Details of Overlapping Hire with New City Attorney

If the New City Attorney is open to it:

**The Retiring City Attorney can become Legal Consultant to the New City Attorney.**

This can work if…

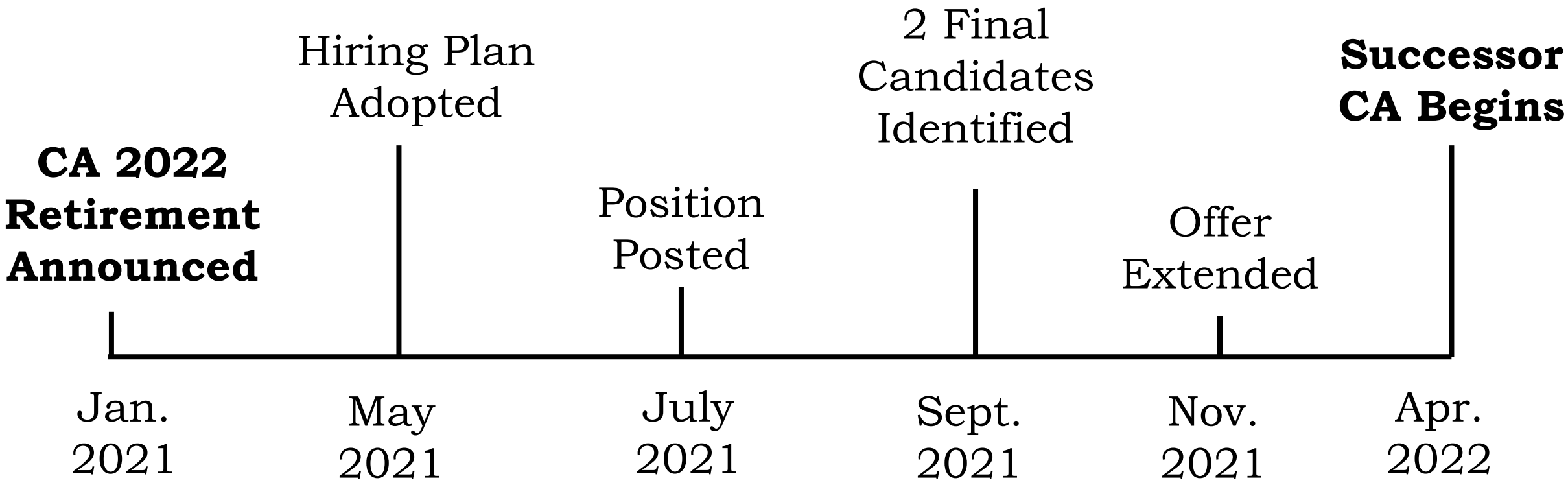
There are specific matters that still need wrapping up.

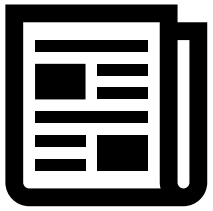
The Retiring City Attorney ceases all contact with City Council.

# Useful Succession Planning Binder for New City Attorney



# Ann Arbor Succession Planning Timeline for New City Attorney





# The Best Laid Plans …

**… For a smooth time of Attorney Transition**:

**From the Headlines --**

**January 4, 2021 -** "Ann Arbor's longest-serving city attorney to retire in 2022"

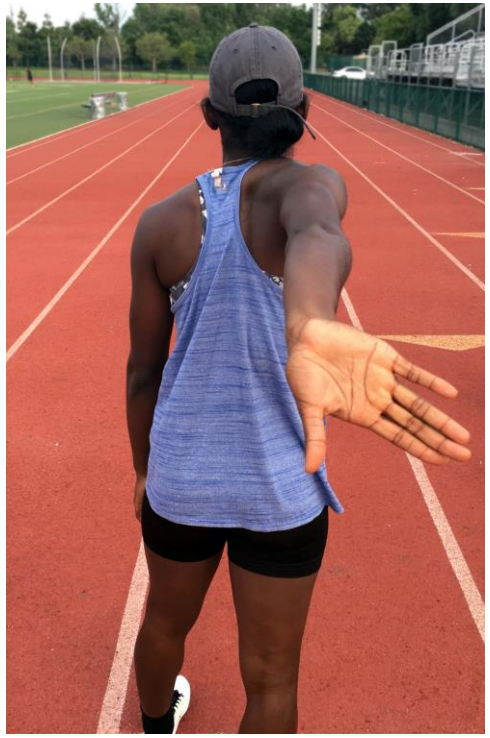
**August 4, 2021 -** "Ann Arbor city administrator resigns, issues apology"

**August 5, 2021** – "Council passes resolution to reprimand  Councilmember"

**September 27, 2021 -** "Ann Arbor votes to hire Interim city administrator"

**December 7, 2021** – "Ann Arbor council members removed from committees along factional lines"

# The City Attorney Office should be prepared to run well after you leave!





# Questions?

**Contact Information**

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