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How I Made Practice Group Leader: Succession Planning Is 'an Important Responsibility I Owe to Our Group, the Firm, and Our Clients,' Says David J. McCabe of Willkie Farr & Gallagher

By ALM Staff

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David J. McCabe, Partner, National Chair of Private Clients Group, Willkie Farr & Gallagher

Year Graduated: 1983

Law School: Fordham University School of Law

How many years have you been at your firm? I have been at Willkie for 34 years.

What made you pick your practice area? I became a trusts and estates lawyer in part because my father died suddenly at a young age with seven children and no insurance and no estate plan. A family friend who was a Wall Street lawyer helped my mother cope with the ramifications of the situation, and seeing the important role he played in helping us had a profound impact on me. Years later, in law school, I worked part-time for a small trusts and estates boutique law firm. The partner there helped me get my first job out of law school as a trust officer at Bankers Trust Company in New York. He believed I had an aptitude in the area and I enjoyed the personal interaction that comes with helping people navigate complexities of estate planning and estate and trust administration. I was then an associate in the trusts and estates department at two other New York City firms before joining Willkie in 1989.

How did you develop your expertise in your practice area? I was fortunate to have a number of mentors early in my career who helped me develop skills that have served me well throughout my career. They encouraged me to join the New York State Bar Association and the New York City Bar Association, both of which have very strong trusts and estate groups. For many years, I also regularly attended numerous presentations and CLE courses even though they were not mandatory at that point in my career. Many of the panelists and speakers were top practitioners in New York City. These opportunities enhanced my knowledge of trusts and estates, and enabled me to network with partners, associates and bankers and establish relationships that continue to this day. Finally, early in my career, I was introduced to an estate discussion group of young associates from many of the top law firms in New York City. At the time, I was one of the only participants who was not an associate at a top 50 AmLaw firm. My membership in that group ultimately helped me land a position at Willkie.


Courtesy photo

David McCabe, Willkie Farr.

Why did you want to become a practice area leader? I had a vision for how I thought a Private Clients Group would fit into a top AmLaw 50 law firm, and wanted to see that through to fruition. I believed (and still do) that we provide an unparalleled level of service that justifies working with one of the top law firms in the world. When the previous leader of the Private Clients Group at Willkie, who was also my mentor, died suddenly in 1997, I was given the opportunity to lead the group as a very young partner. I very much appreciated the firm's confidence in me. The leadership of the firm was instrumental in supporting our efforts to build a multidisciplinary team. This team has provided the platform for us to be a successful practice group while many of our peer firms have dissolved their trusts and estates practices.

What skill sets do you need to be an effective practice group leader (ie, knowing more about the practice, hiring, business development, financial management, etc.) The skill set that made me both an effective business generator and leader of our group was my understanding of the commercial side of our practice. As much as I admire and consider the academic and professional side of what we do, I also realized early on the commercial value of what we can do. My focus on that element has helped me build our practice and also has made me an effective group leader. Interestingly, I did not have any management training before I became the practice chair. Although I excelled at business development and financial management, my biggest early challenge was managing people. It took time and lots of work for me to develop my personnel management skills, which are also critically important in the management of the group.

How do you balance client work with management work? Our team's structure at Willkie is to have a group leader in each office where we have members of the practice, while I oversee the entire group as the National Chair of the Private Clients Practice. We hold regular meetings so everyone is in contact regularly – I meet with our New York team, national team, and all group partners on a regular basis. This allows for a lot of transparency, open discussion of issues and an ability to manage in a manner to accept input from every member of our team.

How does having a practice leadership role give you a sense of the broader strategic vision of the firm? I have led our practice group since 1997 when it was only a New York-based team, and I became the National Chair in 2020 as we started

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to expand nationally both on a firm basis and in the practice area. In that new role, I was able to have a better sense of the vision of firm leadership and where we were going so that I could align the growth of our group with that vision. We have a very collegial and transparent firm and there is a great deal of communication from the leadership of the firm to the partners, counsel and associates. I have been able to benefit from the experiences of other groups that have added lateral partners and groups and have tried to apply the skills that have worked for them in helping to integrate the new groups into our national practice group and the greater firm.

What other roles or experiences help you in this current role? Interestingly enough, having four adult daughters in the workplace has helped me be a better manager because I hear from them what works and what does not work in how they are managed. During Covid, I also learned a great deal about technology from our group's associates, which reinforced our practice of flat management, where we are open to ideas from the entire team. That experience helped me grow, as a practice area leader, as a person and as a lawyer.

What are key priorities for your practice area? The key priority is the continued expansion of our national footprint. We have coast-to-coast coverage with members of the Private Clients

Group in New York, Chicago and Los Angeles. We want to expand these teams, and also add lawyers in the group to our other U.S. offices. Our long-term goal is to maintain our position as one of the premiere Private Client Group practices in the country and to attract the best talent and the best clients to our practice. We recognize that family offices are a new source of capital in the market. We represent numerous family offices including 12 of the 60 largest in the country. This is where our platform and multidisciplinary team are most effective.

Do you have a broader influence in this role over improving diversity at your firm? If yes, how so. I'm proud to lead a diverse and talented team of 40+ attorneys and serve as a mentor to women and diverse attorneys in the group and across the firm. Our practice and the firm as a whole are committed to continuing and further developing strategies to enhance diversity and inclusion on a long-term basis. The confluence of people of different races, cultures, religions, beliefs, gender identities and sexual orientations makes for a stronger team that is more adept at creative problem-solving on behalf of our clients. While the legal field has a ways to go, I am proud of the inroads we have made in diversity among our associates and partners, both within the group and the firm.

Is succession planning a part of your role as a practice group leader, and if yes, how so? My advice to clients often deals with succession planning at family-owned businesses. I have always considered succession planning for our practice an important responsibility I owe to our group, to the firm and, most importantly, to our clients. I have focused on succession for a number of years and already put in place leadership in my group both here in New York and nationally who will ultimately be responsible for my clients and to lead the group. I have actively introduced my partners to my clients and assured my clients that there is a long-term plan to provide for continuity of their representation. I have built this practice with my team and I care that it continues beyond my tenure. Most importantly, I care that my clients will be well represented after I retire because they and their families mean a great deal to me.

How has the role given you insights into client needs? I consider managing our group similar to managing a closely-held business that I have helped to build over the last 30+ years. We have faced many challenges over that time period, similar to the challenges that my clients have faced running their businesses. I often consider my own experience in managing a business and managing people when advising clients, particularly with regard to succession planning for their businesses and in helping them to achieve their long-term goals.

Is there any other advice you'd share for those looking to become a practice leader? I think it's important to develop skills that are not necessarily related to your practice as an attorney. You are dealing with individuals—both the ones you manage and your clients—and the issues you face are often more than just legal ones. You must be prepared to help attorneys navigate issues and crises, mentor and help them develop their skills. I regularly tell members of my group that I want every one of them to succeed because if they are successful, we are better at serving our clients. You have to be open to helping the people in your group actually become successful and that is both challenging and time-consuming because we all have different skills. I have used the mantra from one of my clients that you must know your skills and your weaknesses and then surround yourself with people who will help you fill the gaps created by your weaknesses. I have tried to do that my entire career and I believe I have been successful largely because I have surrounded myself with brilliant, practical, empathetic colleagues who are prepared to work collaboratively for a shared goal.