



@JimMiddlemiss

Dads and daughters in law

By Jim Middlemiss

When long-time litigator Gavin MacKenzie was having his regular Starbucks meeting with his daughter, Brooke, who is also a litigator, he mentioned that he was toying with the idea of leaving big law and opening his own boutique.

That's when she asked if he needed a third-year lawyer. "Only if it's you," he told her, and thus was born MacKenzie Barristers Professional Corporation, a litigation boutique that focuses on appeal work with a view to professional liability and responsibility issues.

Brooke, who was on a leave of absence from McCarthy Tétrault finishing her LLM, says, "When my dad proposed this idea . . . it was a no-brainer. He has the kind of practice I dreamed of," she says, adding, "I was particularly interested in doing appeals, rather than trials."

When it comes to a sibling entering the family business, father-and-son combinations have often been the norm. For example, John S.D. Tory saw his twin sons join the firm and help build Torys LLP into the juggernaut it is today.

But father-and-daughter combinations are not unheard of. Take Sharon and Harvey Strosberg. Sharon has practised with her dad at Sutts Strosberg LLP for 16 years now, and her sibling Jay is also at the firm. "It's been fantastic," she says of the father-and-daughter experience.

Paula and Paul Downs is another dad-and-daughter combination, based in London, Ont., where they run a general practice. "It's been great personality-wise," says Paula. "I've learned so much," she says of joining her dad after graduating from law school in 2009 and articling at his firm. "He's very easygoing. I am probably more rigid." Before that, she spent five years working at a Toronto groups benefit consulting firm. Growing up, she said, "I always admired the practice of law." She said her game plan was to "go to law school, article with Dad, and take over the practice."

As more women graduate from law school into the traditionally male-dominated profession, chances are there will be more father-and-daughter combinations in the future, as the legal profession ages.

Currently, about 54 per cent of Ontario male lawyers who practise are over the age of 50, setting up a tsunami of succession issues in the coming years. No doubt some will turn to their daughters to run the family business.

Athenian playwright Euripides once said, "To a father growing old, nothing is dearer than a daughter," and you get a sense of that when speaking to legal dads.

Says MacKenzie: "Brooke was the motivating force for me. The opportunity to practise with my daughter was an opportunity most lawyers don't have the privilege of doing."

It's a sentiment echoed by Harvey Strosberg. "I love practising with my daughter," he says, adding, "it's very collaborative." Paul Downs notes, "It's a really special relationship when you have your daughter practising with you because of the closeness."

That doesn't mean it's easy. Like any partnership, there are differences. In Paula Downs' case, it's a clash of new versus old. Paul Downs has been practising since 1972 and doesn't use technology, preferring to still do research at the local law library. "I can't do anything technical," he says. "I don't use a cellphone." It's Paula's knowhow navigating Quicklaw that brings it all together. "We seem to be able to get things done," he says.

Practising with one's dad, who can also be grandpa to one's children, can also be a familial challenge. While you might have instant daycare, there isn't that clear demarcation line between work and family, especially if you are also neighbours, as in the Strosbergs' case. "He knows he can call me at any time. No time is off limits," Sharon says.

It also helped growing up around law, where the women could see the commitment their fathers brought to the practice of law. In Sharon Strosberg's case, when she was in elementary school, Harvey says, she would help him compile various affidavit of documents in litigation files, something, he joked, that helped prepare her for articling.

Paula Downs adds that her dad was "always a worker," and "entrepreneurial," which rubbed off on her.

Brooke MacKenzie says she was inspired to go to law school because of her dad, who "tricked her" by going to the office early so he was always home for dinner or sport and after-school events. She said one thing that influenced her career choice growing up was that "he seemed to like his job. Perhaps, more interestingly, he always seemed to be learning something knew," and she found that an attractive career choice.

She says they have "always gotten along" and "we've gotten closer over the last 10 years," as she left home for university and then started her legal career. Now she says she is looking forward to working with him and "building a business from the ground up."

"Fathers and sons have been doing this for years," she says, referring to dads and sons who practise together. She says she and the other women in her shoes are simply "bringing a female perspective to it." **CL**

Jim Middlemiss is a legal writer and principal at WebNews Management.com.