

## Why Your Top Prosecutors are Leaving -- And What you Can Do to Stop Them



An exodus of trial lawyers will create havoc in any DA's\* office. Prosecutor turnover disrupts the flow of cases, upsets victims and witnesses, and creates potential for conviction integrity issues. Even worse -- it is also difficult to find experienced replacements in the current job market. This article is designed to help you retain your trial staff and ensure they have the highest possible job satisfaction. Read on to explore 10 common reasons why some of the best prosecutors quit, and what you can do to keep them.

A note about compensation: Many DAs mistakenly believe that increasing compensation will solve turnover problems. This belief often causes despair because salary increases for prosecutors are typically outside of the control of the DA. The good news is that the level of compensation is not one of the top drivers of job satisfaction in employees. And this is particularly true in public service vocations which typically do not attract people who are

primarily motivated by money. In a nutshell - compensation is important to prosecutors, but it's not the most critical factor in retention.

1. **Negative Work Environment and Toxic Culture:** A toxic work environment can be a significant reason for top prosecutors to leave. To retain your best lawyers, foster a positive work environment and a healthy office culture. Encourage open communication, address any conflicts or issues promptly, and promote a sense of respect and inclusivity. Invest in team-building activities, provide opportunities for social interaction, and demonstrate positive behaviors.
2. **The Need for New Challenges and Growth Prospects:** The best prosecutors are always looking for new challenges and opportunities to develop. If they feel that their current role has become stagnant and there are no prospects for advancement, they may consider leaving. To retain these valuable lawyers, provide them with fresh challenges, additional responsibilities, and create a path for career progression. Additionally, encourage continuous learning and development within the organization to keep them engaged and motivated.
3. **Concerns about the Stability of the Office:** During times of uncertainty, such as during a leadership change, concerns about the stability of the office can lead to employees leaving. If your organization is facing major change, be transparent and communicate openly with your employees. Provide regular updates on the process of change and reassure them of their prospects. Showing empathy and addressing their concerns can help retain them.
4. **Disengagement and Lack of Connection:** Employee engagement is essential for productivity, positive office culture, and success of the mission. If your best prosecutors don't feel connected to the organization and its goals, they may become disengaged and consider other options. To address this, ensure that prosecutors are focused on their role and how it contributes to justice and public safety. Communicate office updates, offer feedback and recognition for their efforts, and create opportunities for collaboration with colleagues. Building a sense of purpose and belonging can help retain the top prosecutors.
5. **Lack of Communication and Feedback:** Effective communication is essential for maintaining a strong employer-employee relationship. If prosecutors feel that their voices are not heard or that there is a lack of feedback and communication, they may start looking elsewhere. To retain your best lawyers, establish clear channels of communication, encourage open dialogue, and provide regular feedback and performance reviews. Implement an open-door policy where prosecutors feel comfortable voicing their concerns and ideas. A suggestion box and regular employee satisfaction surveys are also great ways to keep the communication channels open.
6. **Lack of Recognition and Rewards:** Top employees need to be recognized and appreciated for their hard work and contributions, and prosecutors are no different. When they feel that their efforts go unnoticed or unrewarded, they may start looking elsewhere. To

retain your best prosecutors, implement a recognition and rewards program. This can include both financial rewards such as bonuses or salary increases and non-monetary recognition such as public appreciation, certificates of achievement, or opportunities for career development.

7. **Limited Opportunities for Career Advancement:** High achievers need opportunities to grow and advance in their careers. If they don't see a clear path for progression within the office, they may seek greener pastures. To retain your best prosecutors, invest in their professional development and provide opportunities for career advancement. Make sure they can clearly see their career path in the organization. Offer further education and training and opportunities to explore different areas of the office. Showing a commitment to their long-term growth and success can help retain top lawyers.
8. **Trust and Autonomy:** High-performing prosecutors are energized when they have the freedom to exercise their judgment and creativity. Micromanaging and not trusting them with their work can lead to frustration and a desire to leave. To retain the best employees, build a culture of trust and autonomy. Delegate responsibilities, grant them authority to make decisions within boundaries, and provide support when needed. Showing confidence in their capabilities will help them stay.
9. **Poor Management and Leadership:** Bad management is a significant factor in top prosecutor exodus. To retain your best prosecutors, cultivate effective management and leadership skills in all levels of management. Provide training and coaching for managers to develop their communication, emotional intelligence, and team coaching abilities. Encourage open and transparent communication, address any conflicts or issues promptly, and create a positive work environment that fosters trust and collaboration.
10. **Stress and Overwork:** High-performing prosecutors often take on additional responsibilities and work long hours. However, excessive stress and overwork can lead to burnout and ultimately prompt them to leave. To retain your best prosecutors, prioritize their well-being and mental health. Promote work-life balance, encourage regular breaks and vacations, and provide resources for stress management and mental wellness. Do not contact your prosecutors in the evening and on weekends unless it is an urgent matter.

**Where to Start:** The first step in improving the job satisfaction of critical employees is to fully understand their perspective. We recommend conducting an employee engagement survey to get a baseline understanding of employee perceptions. These surveys should be confidential and conducted by a third party outside of the organization. Properly done, an employee engagement survey will provide a clear blueprint for a retention strategy that fits your organization\*\*.

*\*The term "DA" is used in this article to refer to elected or appointed prosecutors, who can have many titles including District Attorneys, District Attorney Generals, Commonwealth's Attorneys, County Attorneys, County Prosecutors, State's Attorneys, State Attorneys, Solicitors, and Circuit Attorneys.*

*\*\*Vera Causa Group can assist you in conducting an employee satisfaction survey. Other options include having a local college or university conduct this research.*