

# Making a Difference

## Behaving Like an Institution

An Interview with Joseph H. Flom,  
Senior Partner, Skadden, Arps, Slate, Meagher & Flom LLP



**EDITORS' NOTE** A graduate of the City College of New York (CCNY) and Harvard Law School, Joe Flom started his legal career as Skadden's first associate. He is widely recognized as one of the leading attorneys practicing in the merger and acquisition arena and is credited with pioneering many of the strategies used today by bidders, targets, and investment bankers. Flom has represented clients in connection with corporate organization and reorganization, banking and securities-offering activities, joint ventures and investments, and all other matters relating to success in business. He is the recipient of multiple honors and awards, including the Legal Aid Society's Servant of Justice Award in 1986; the Federal Bar Council's Whitney North Seymour Jr. Award in 1989; and the Department of Defense's Distinguished Service Medal in 1992. Flom has also been awarded honorary doctorates by Queens College and Fordham University. In 2004, he received lifetime achievement awards from Chambers and Partners and The American Lawyer magazine, and was presented with the CCNY Presidential Medal for Distinguished Achievement and Public Service. He is a founding trustee of the Skadden Fellowship Foundation.



Joseph H. Flom

**COMPANY BRIEF** Founded in 1948 by Marshall Skadden, John Slate, and Les Arps, and headquartered in New York, Skadden, Arps, Slate, Meagher & Flom LLP ([www.skadden.com](http://www.skadden.com)) is one of the most highly respected law firms in the world. With approximately 2,000 lawyers, the firm and its affiliates have offices in nine U.S. cities, as well as in Beijing, Brussels, Frankfurt, Hong Kong, London, Moscow, Munich, Paris, Singapore, Sydney, Tokyo, Toronto, and Vienna.

**One of Skadden's principal corporate social responsibility activities is the Skadden Fellowship Foundation, which is now in its 20th year. Has it developed the way you thought it would?**

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**Corporate social responsibility was not so widespread back then. What motivated you to start the foundation?**

It was our 40th anniversary, and we said to ourselves, "If we want to be an institution, we have to behave like an institution. It's not a one-way street." Of course, the foundation is in addition to all the direct pro bono work we do.

**You have been personally involved in giving back to the community as well, with a focus on education. Do you think enough is being done to improve the U.S. education system?**

It's a vast problem, and I don't know that there's one solution. I think an impact is made one person at a time. You hope some of the programs you develop get replicated and have a much bigger impact. Fortunately, a number of programs that I've been involved with have grown. In addition to education, I and Skadden as a firm also devote a lot of effort toward improving our legal system. Even though he's not a lawyer, my son works with The Innocence Project and a number of other programs to deal with the ridiculousness of mandatory minimum sentencing laws. He gets me involved in a lot of these projects as well.

**Is there a major role for corporate leaders in improving the education system, or is it something that the government needs to do?**

We clearly have to work together. This issue is too big for any one person or sector. The government is making strides. New York City's government in particular is doing a great job. But, at the same time, the private sector is putting money into programs that might not be funded by public money. So it has to be a joint effort.

**Health care is another area fraught with challenges. How can business leaders get engaged in the conversation about health care reform?**

The government has a big role to play in that conversation, and business interface with the government is critical. Corporations should certainly be involved in the discussion about how health care is delivered. Hopefully, the Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics, which I helped start at Harvard Law School, will help foster that discussion. The biotech revolution has moved

far faster than the legal underpinnings have. Understanding the implications is important.

**As a law firm, Skadden is truly global. Do you also approach corporate social responsibility from a global perspective?**

It's one firm, and we always aim to be sensitive everywhere we do business, whether in the United States or internationally. All the partners have a say in what we do in every location, and it's important for us to work with the communities where we have offices or do business.

**When you speak to young people setting out on a career in law, do you find that they're interested in community involvement? Is it at the forefront of their minds?**

I would say that there's a much higher degree of sensitivity about social responsibility among graduating law students these days than previously, and a firm's commitment to social responsibility is one of the key factors that young people look at when choosing where to work. We find the fact that we have such an active pro bono program is a plus, in terms of recruitment. That said, these people are all individuals who have done very well, and they each make up their own mind about what's important in life.

**How has the profession changed over the years?**

It has changed dramatically. When I started, you couldn't have offices in multiple states, and law firms were bite-sized by today's standards – a large firm had 60 or 70 lawyers. I think the largest firm in the country had 200 lawyers. The technological revolution has made a lot of this change possible. Also, the growth of in-house counsel has been a very significant development. Clients today want particular expertise – somebody who walks the walk and talks the talk.

**Do you find it hard to stay detached when you see your colleagues doing things differently from how you would like to do them?**

No, I don't have any problem with that. I haven't been a Managing Partner or a quasi-Managing Partner for more than 40 years. The worst thing you can do is be heavy-handed. I'm there if they need me, and if the client wants my wisdom, I'm glad to try to provide it. But the greatest thing a teacher can do is to have his pupils surpass him. ●

Joseph Flom at the dedication for the Petrie-Flom Center at Harvard