

Leadership Skills

Teaching “New Tricks” to “Old Cats”

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Leading in law firms is nothing like “herding cats.”

Law firms may pose special challenges to leadership, but these challenges are no greater than those posed by the special characteristics of other professions such as engineering and accounting.

It has nothing to do with “cats.”

It has everything to do with unskilled leaders. Lawyers can be good leaders and good followers, if they choose to be.

The myth of the “natural” leader

A consideration of leadership has produced some unfortunate mythology for law firms. There is a widely-held assumption that lawyers, by nature, are not good leaders or followers -- that they are too impatient or too individualistic or too egotistical to lead others or to respond to leadership.

This urban legend, fueled by unskilled leadership and junk science, can wrongly influence law firms to overlook or dismiss the leadership potential that everyone possesses.

Every partner in a law firm needs to be ready and able to exercise a leadership role when the need arises.

What is leadership?

There are hundreds of definitions of leadership. This one seems to describe best how leadership actually functions in successful law firms:

Leadership is a set of skills and behaviors that motivate others to perform.

Skilled leaders in law firms lead by their personal example and by creating the conditions that encourage others to achieve the firm’s goals and their own.

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Will lawyers learn the new skills that they need?

Lawyers are more likely to improve their leadership skills if they:

- see how leadership skills will help them to achieve their goals and objectives, whatever those are
- know what leadership behaviors are expected of them by the firm
- recognize that the choices they make about their own leadership behavior will be viewed by their partners as a measurement of their contribution to the firm
- understand the link between leadership behaviors and business results
- have the opportunity to learn and practice new skills in a supportive environment that does not demand perfection and rewards incremental progress through feedback and coaching

The learning must be relevant; and lawyers should be able to apply the leadership skills immediately to both internal and external clients.

An organization of leaders

Any firm can be an organization *with* leaders. The most successful firms, however, evolve into organizations *of* leaders. In a firm *of* leaders, everyone -- from the most senior partner or owner to the most junior clerk -- is welcome and expected to speak up, innovate, and contribute to a law firm culture that fosters and sustains success.

Our firm’s approach to leadership is based on specific, observable behaviors --skills that anybody can learn.

In Walker Clark, we reject the notion that some people are born leaders and others can never be leaders. It is true that some people may

find some skills easier to learn or more enjoyable to practice than other people do; but leadership is a set of skills that anybody can master.

Not all heads of chambers, managing partners, department heads, and supervising lawyers will necessarily be “great” leaders in their lifetime. However, everyone can definitely improve his or her leadership skills if one chooses to do so. Every member of the law firm has the ability to influence others, to improve quality service for clients, and to make a positive difference in the day to day work life of one’s colleagues.

Making leadership roles accessible to every member of the firm does not dilute leadership. Law firms need different leadership styles at different times and for different reasons. There are serious risks in concentrating leadership responsibility in a few “strong” partners, who, like everyone else, are good at some things and weaker at others. Diversity in leadership styles and skills is the best way to manage the risk of a fatal leadership mistake.

All of us have strengths and needed areas of improvement. We have different educational backgrounds, roles and responsibilities, likes and dislikes. Some of us aspire to formal positions of leadership; others prefer to work behind the scenes, out of the spotlight. Some of us are energized by being around people and enjoy leading from the front. Others are energized through thoughtful reflection and may prefer to influence in a more reserved manner. Yet, all of us have a job to do as leaders of our law firms.

Geese and buffalo

James A Belasco made this point very effectively in his research of management styles in business, published in 1994 in *Flight of the Buffalo*. Our firm has consistently validated his conclusions in more than 15 years of work with law firms since then.

Belasco uses a herd of American bison (called *buffalo* in North America) as a metaphor for the traditional “strong leader” form of

management that still persists in many businesses and law firms. He points out that hunters in 19th century North America were able to reduce the American bison almost to the point of extinction, one herd at a time, by killing the leader of the herd first. The other buffalo in the herd would either freeze in panic or, in the case of herds in eastern North America, stampede over a cliff.

By contrast, Belasco discovered that the appropriate metaphor for successful businesses today was a flock of geese. He observes that when a flock of geese fly across the sky, all of the mature geese will each take a turn at flying in the “point position” at the head of the flock. This is one of the reasons why flocks of geese can travel great distances and avoid hazards along the way. The responsibility for leadership is shared.

We have observed the risks of the “herd of buffalo” model and the benefits of the “flock of geese” model in law firms of all sizes and practice specialities around the world.

A common characteristic of law firms who sustain long term financial success is that leadership roles are distributed throughout the partnership, not just concentrated on one person. Conversely, one of the characteristics of law firms that have failed is over-dependence on a single authority figure. When crisis strikes all are dependent on the reactions of a few leaders who may freeze, or, worse yet, lead them over a cliff.

Who should lead?

Often our firm’s clients will ask:

"Isn't it easier to hire an executive director than it is to expect the lawyers to learn the needed leadership skills?"

or

"Why can't the managing partner just take care of everything?"

Even if a firm hires an executive director or has a managing partner with governance experience and skills, the partners and others

in the firm still need to possess their own leadership skills for the firm to achieve its most important goals.

For example, the professional development of associates cannot be entirely passed off to an executive director. Strategic decisions about the growth and direction of the firm, likewise cannot be made and implemented solely by a hired "expert," who is not an owner of the firm, or by the managing partner alone.

Whether partners like it or not, they must solve problems, make decisions and execute business strategies. They must lead in order for their firms to prosper and succeed long term.

Is anyone following?

New York Times and *Business Week* author, John Maxwell wrote:

“You’re not leading if no one is following.”

Some partners say, “Let’s just teach leadership skills to the associates!” However, many partners overlook the fact that they are already leading associates -- sometimes in the wrong direction.

Associates take their cues from the top. They will model the behaviors that partners use, regardless of what the partners say. Associates are observing and will eventually emulate the accepted practices of leadership or “non-leadership” that they observe in the firm everyday.

Each partner should think about this question: “What are you teaching them or not teaching your associates?”

It doesn't work to say, "Do as I say, not as I do." For example:

- If a partner has no time to mentor a lawyer, associates will be less likely to invest time in teaching skills to others.
- If it's okay for a partner to hoard work or withhold important information about a client, associates will do it, too.

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- If it's okay for partners to speak disrespectfully of one another, associates also will do so.
- If it's okay for a partner to yell at a staff member, associates will think it's okay for them to be abusive.
- If it's okay to issue ultimatums rather than to develop group consensus, associates will not learn skills of cooperation and conflict resolution.

Here are four of the most frequent questions asked by clients of our firm:

1. How can we get things done in our firm? We have the plans, we just don't implement them.
2. How do we get people to do their best work, and become problem solvers, not complainers?
3. How do we reduce stress for ourselves and others?
4. How do we make efficient and prudent business decisions in a highly competitive, rapidly changing market?

It's almost impossible to make progress in any of these areas if the firm's partners are not capable leaders and if they do not work effectively as a leadership team.

Lawyers have the capacity to be excellent leaders. However, organizational leadership - the type that builds firms of leaders - requires changed behaviors. People often need to change the way they relate to and the way they work with each other.

Just do it!

Improving leadership skills involves "looking in the mirror" to understand how other people perceive your leadership skills. Receptivity to the feedback of others is an important first step in the process. Once lawyers organize goals and plans to improve, they tend to be quite motivated. However, any effort to

change behaviors also takes discipline and a sustained willingness to practice, relearn, and learn again.

The best advice is "just do it." Get in there, take some risks, and learn along with everyone else, as the firm executes a planned program that provides for:

- increased self awareness
- learning new skills
- practice and feedback
- coaching and ongoing development
- recognition and rewards
- commitment to agreed performance standards

Leadership and emotional intelligence

Lawyers traditionally have invested their time and resources in developing professional and technical skills. Technical expertise has been their ticket to success. They, understandably, take great pride in their professional reputations and legal competence.

Lawyers usually give less thought to the skills of emotional intelligence, although they use these skills every day with clients and others.

Emotional intelligence refers to a lawyer's nontechnical areas of expertise. The Hay Group defines four cluster areas of skills including self-awareness, self-management, social awareness and relationship management. Research has correlated these to business and financial performance of individuals and groups. Our experience working with emotional intelligence in law firms has validated the importance of these skills in business performance.

These are practical, hard-edged business skills. Examples of emotional intelligence include:

- remaining calm and exercising self control in a difficult negotiation,

- understanding the potential political ramifications of a legal opinion and alerting your client to them,
- conveying empathy by putting yourself in your client's shoes,
- building rapport with a prospective client
- closing a deal
- learning from set backs
- projecting optimism about the future.

Emotional competencies like these are even more important to achieving business results in a law firm than competent legal skills. Basic legal skills are assumed by clients; they provide no real competitive advantage against other firms.

What sets a law firm apart from others is its:

- service orientation
- quality client relationships
- the ability to attract and retain talent, and
- the capacity to respond internally when change is needed.

The implementation of each of these key success factors requires the leadership competencies of emotional intelligence.

Leading associates

Successful firms ensure that associates have the opportunity to develop emotional competencies so they become effective leaders. In order to do this, associates need the chance to perform as individuals and as members of groups or teams.

For example, they need to learn how to:

- develop goals and plan to achieve them
- anticipate obstacles and problems

- make decisions
- delegate legal work
- mentor and supervise other lawyers
- resolve disagreements
- solicit and provide feedback
- negotiate "win-win" solutions

Associates need to know that partners value them and appreciate their contributions. They also need to know that partners are willing to help them grow as professional business people and future leaders, not just as technically competent lawyers.

Partners need to get to know the associates. Partners should listen to them - their suggestions, aspirations and concerns. If they don't, the message to the associates is: "You're not really important."

Listening to and leading associates requires well-developed emotional competencies on the part of the partners.

If associates are given responsibility without authority, they will become discouraged and frustrated. Partners should make sure that they delegate carefully, assigning leadership tasks when associates are ready for them, and not just when it's convenient to "dump" work or responsibilities.

A partner needs to assess honestly whether he or she is willing to transfer some "power and influence," not just workload. Even so, associates also need follow up, praise and constructive feedback regarding ways to improve. These leadership responsibilities require emotional intelligence from partners.

Growth and professional development opportunities for associates benefit everyone, including clients.

Assigning associates to leadership roles, -- both inside the firm and with clients -- prepares them to be future partners. In addition, associates describe their work as

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more interesting and challenging. They express greater confidence in their ability to meet the expectations of the firm. In addition, they are more likely to see a long term future for themselves in the firm.

Firms with motivated associates experience higher morale, expanding client relationships, and higher fee generation than those firms who do not make a similar investment in their associates.

Critical areas for emotional intelligence in law firms

The Hay Group has identified 18 emotional intelligence competencies, and several areas are frequently very important in law firms.

At the foundation of emotional intelligence, law firm leaders need the skills of self awareness and accurate self assessment. That is, they need to be aware of their own strengths and limitations. They understand that good intentions aren't enough. They know how their behaviors affect the well being and productivity of others. They regularly solicit feedback to test their own perceptions. Using these types of behaviors builds trust and reduces misunderstandings.

The emotional competency of transparency is also critical. To what extent do people think that a partner has a hidden agenda when he or she makes a request? When partners make their intentions known, are clear about their performance expectations, and follow through on their commitments, they are perceived to have integrity, which is an aspect of transparency.

In summary, lawyers lead with emotional intelligence when they:

- express optimism about the future
- take initiative to resolve an ongoing problem
- collaborate with others
- demonstrate self confidence as a leader

- share feedback with a colleague
- anticipate obstacles to implementing a plan of action
- or identify common ground in a dispute

Obstacles to skilled leadership

The good news is that lawyers have developed many of these emotional competencies. They use them regularly with friends, family and external clients.

The bad news is that there is a huge breakdown in the application of these skills to the internal culture and workplace environment of the law firm.

Why does this happen? Many lawyers cite a lack of time for building positive relationships with their colleagues. Yet, they must spend more time repairing the damage caused by ineffective leadership behaviors than it would take to do things right the first time.

Anyone can master leadership skills, however, circumstances can prevent even the most skilled person from becoming a leader. Effective leadership in law firms requires more than skilled leaders. It requires a commitment to the conditions within the law firm that promote the values of leadership and “follower-ship.”

Three things are usually lacking in struggling law firms. There is a:

1. Lack of awareness of how emotional competencies impact the profitability of the firm -- *No link between desired leadership behaviors and the bottom-line!*
2. *Ad hoc* versus regular and meaningful development of partners, associates and staff -- *Little willingness to invest in people over time!*
3. An unhealthy climate for effective leadership

The 10 leadership killers

A law firm can sink into an unhealthy leadership climate when any of these “leadership killers” are present:

1. One partner (or a small subgroup of partners) has a history of “holding the others hostage” when making decisions
2. Ongoing polarization exists between groups of partners
3. The partnership takes a superficial, short term versus a strategic view of business results
4. Leaders are set up to fail for a number of reasons. including unrealistic goals, poor delegation practices, hidden agendas
5. The partnership plays "blame the leader" instead of accepting joint accountability and investigating the real causes of the problems or perceived problems
6. Leadership roles are assigned for political reasons and not based on ability or career development needs
7. Formal leaders have responsibilities with no authority to act
8. The managing partner and the partnership avoid dealing with performance issues
9. Efforts to question the *status quo*, “innovate, and try new approaches are met with disapproval, social sanctions, and questions from the partnership about one’s loyalty to the firm
10. Succession planning for formal leadership roles in the firm is ambiguous, avoided or not addressed in concrete ways

Paying attention to these “leadership killers” is not just a theoretical exercise. It’s a practical - and essential - business strategy.

Commitment to better leadership

If law firms can capitalize on the collective emotional intelligence and governance skills of their lawyers, they can achieve great things. The outcomes far outweigh the investment. For the individual lawyer, using effective leadership behaviors is intellectually challenging, highly motivating and financially rewarding.

At the same time, law firms must be prepared to say "no" to behaviors that are not consistent with the values, desired culture and needs of the firm and its clients.

For example, if a law firm is trying to transition to a more team oriented work environment and one partner continues to operate as a "solo," that partner needs to receive feedback so that he or she can voluntarily change his or her way of operating.

If the law firm has committed to a regular process of performance reviews and coaching and one partner does not carry out his or her responsibilities, that partner needs to understand both the benefits and consequences of not participating in order to make an informed choice.

If a partnership is trying to be more inclusive of junior partners in the decision making process and a senior partner continues to dominate and bully others into submission, that partner needs to know that violating the limits of acceptable behavior will detract from how the other partners measure his or her contribution to the firm.

A law firm can exert a huge influence over its workplace. If it creates a motivating, inclusive work environment that provides for ongoing growth and development of its staff, associates and partners --consistent with the mission and goals of the firm - leadership and follower-ship will thrive.

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At the same time, a law firm cannot control the individual behavior of a lawyer. Whether a lawyer chooses to use expected leadership skills is, ultimately, her decision. The managing partner along with the partnership, must be prepared to reward effective leadership skills and to work together to manage underperformance.

The success of the firm depends on its ability to produce leaders over time who are able to respond to the changing leadership needs of the firm. Different situations will require different types of skills and leadership styles.

Is your firm ready to provide the leadership it needs, not just today but into the future?

The leadership role of the managing partner

Although a law firm needs multiple leaders, managing partners are expected to perform a major leadership role in any firm.

If you are a managing partner, my top advice is: "Don't let the other partners abdicate their leadership responsibilities."

The managing partner should intentionally and openly support ways for partners and others to practice and expand their leadership skills.

My second piece of advice is to seek help early if the partnership is getting stuck in blame and cynicism. A skilled third party can be a very effective mediator when dealing with “sensitive issues.”

Sometimes the role of the managing partner is to bring out dissension and to promote debate, rather than avoid it.

Don't be afraid of “the elephant in the room” or the “dead skunk under the table” -- those long-festering problems that everyone tries to ignore. Learning how to manage your way through disagreements is a much better remedy, although it can be uncomfortable.

But you must confront these potentially difficult disagreements and manage your way through them.

Otherwise the dead skunk will only smell worse.

And the elephant in the room will get annoyed at being ignored and start a rampage that can eventually destroy the place.

What are the alternatives? Most of the law firm failures that I have observed involve one or both of these two problems: partner abdication of leadership or refusal to deal with internal conflicts within the partnership.

Visible leadership that stays engaged

Actions, not speeches, are what inspire others. All partners should demonstrate the skills of emotional intelligence and practical business leadership. The strongest leadership is, indeed, that of personal example.

For leadership skills to develop throughout the firm, the senior leaders need to stay engaged by ensuring that everyone, not just a select few, has the opportunity to develop his or her leadership skills to their full potential.



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