

# A Behavioural Model for Law Firm Leadership

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Leadership is a hot topic in law firms today. Seminars, books, and periodicals give the legal profession a dazzling array of different viewpoints and strategies about leadership. More than at any previous time in the history of the profession, lawyers are thinking about what it means to be leader.

During the past ten years, the legal market has globalised and become hyper-competitive. Lawyers and law firms have faced unprecedented challenges and have had to make precedent-shattering changes. One of the characteristics of the most successful law firms in this turbulent environment is the steadfast character of their leadership.

Any law firm can be an organisation *with* leaders; and law firms possess some of the most effective business leaders in any sector of the world economy. The most successful law firms, however, are evolving into organisations *of* leaders. In a law firm of leaders, everyone – from the most senior partner to the most junior clerk – is welcome and expected to speak up, innovate, and contribute to an organisational culture that fosters and sustains success.

How does a law firm *with* leaders become a law firm *of* leaders? The development of leadership – whether in individuals or in groups – requires more than changed attitudes and new knowledge. It takes more than reading an inspirational book or attending a high-powered seminar. Organisational leadership – the type that builds law firms of leaders – requires changed behaviours. People need to change the way in which they work with each other. To develop and improve organisational leadership, the firm must move away from behaviours that stifle individual initiative and accountability and move toward ones that promote group effectiveness.



## The Behavioural Model

Figure 1

**The Walker Johnson  
Leadership Behaviours Scales**

*Move the organisation from...*  
**Good Management to Great Leadership**

Communicating Direction	Creating Enthusiasm for Goals
Achieving Compliance	Achieving Commitment
Making and Explaining Decisions	Decision Making by Input and Consensus
Directing	Delegating
Solving Problems for Others	Solving Problems Through Others
Maintaining Individual Performance	Improving Group Performance
<i>Ad Hoc</i> Training	Developing Skill Sets
Managing the Work	Managing Communication
Correcting Work	Providing Feedback
Monitoring Work Quality	Improving Work Quality
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Leadership is the sum of a variety of specific, observable behaviours in the work environment. In most law firms, these behaviours array themselves along ten scales.

Figure 1 introduces a behavioural model for law firm leadership. It describes the characteristics of the poles of the leadership behaviour scales. The “Management” end of each scale describes actions that are characteristic of traditionally effective management. People do what they are supposed to do. Based on what they could see, outside observers would conclude that the firm is well managed.

The “Leadership” pole of each scale describes the behaviours that are characteristic of a law firm of leaders. People take initiative and assume accountability for and ownership of, the results. Outside observers might feel that internal processes are

“messy” or even chaotic, when compared to traditional notions of law firm management. However, the organisation is visibly moving forward.

## **The ten leadership behaviours scales**

What are some of the specific behaviours in law firms that can be found along the ten scales? The following discussion does not catalogue every relevant behaviour. Moreover, some behaviours might arguably appear on a different scale or more than one scale, under the special circumstances that make every law firm somewhat unique. In the authors’ experience, however, these are some of the most common and noticeable behaviours that suggest the current state of leadership in a law firm.

### ***From Communicating Direction to Creating Enthusiasm.***

Good managers tell people what they are supposed to do. At the Management end of this scale, expectations are clearly and specifically articulated, often in great detail and sometimes with little room for individual variation or discretion. People often feel like “cogs in a wheel.”

Great leaders not only communicate directions clearly, but they also ensure that people understand how the task supports the larger aims of the firm. In law firms operating at the Leadership end of the spectrum, people have “line of sight” to the mission and vision of the organisation. They understand and can articulate how their work contributes to delivering a service or product to the client and how their efforts help the firm to succeed.

### ***From Achieving Compliance to Achieving Commitment***

All law firms have procedures and rules. Good managers issue rules in order to assure that each person complies with firm policy. Managing partners may feel, for example, that they have succeeded when they get their partners to go along with a policy, such as submitting time sheets or reviewing invoices promptly.

Great leaders also reinforce rules, but they are formulated and communicated in a way that demonstrates the importance of each policy to the overall success of the firm. A lawyer becomes personally committed to prompt submission of time sheets, for example, because he or she understands that prompt submission of time sheets has a direct impact on the firm’s financial profitability.

### ***From Making and Explaining Decisions to Decision Making by Input and Consensus***

Good managers usually prefer “top-down” decision making. They pride themselves on their ability to make decisions swiftly, expeditiously, and with no “wheel spinning” or protracted discussion. A small management group invests substantial time and resources in decision making. Managers at all levels may be also heavily involved in explaining the decision to others in the firm. Feedback about the decision, either before or after it is made, is usually not sought or welcome. Questions are viewed as challenges to authority or even acts of disloyalty.

Great leaders also can act decisively when they need to, but they usually prefer to take more time to make important decisions. Those who are responsible for making a decision or formulating policy invest most of their effort in consulting the stakeholders, i.e., those who will be most directly affected. This is not just a charade to prevent dissention. Decision makers encourage and even reward dissent, because it tests and strengthens the decision-making process and the overall quality of the decision itself. They seek buy-in before the decision is made, not just agreement after it is announced.

### ***From Directing to Delegating***

Good managers give work to others, but with very specific expectations and narrow limits to individual discretion or judgment. Delegation, when it does occur, is tightly controlled and closely supervised. Micromanagement is the rule in these law firms; and partners who do not micromanage are sometimes viewed as lackadaisical or lacking attention to detail. By contrast, meaningful delegation of important legal work is a characteristic practice of great law firm leaders. Associates and assistants work to clearly communicated standards and expectations, just as they would in well-managed firms. The difference at the Leadership pole of the spectrum is that partners also actively provide the trust, support, discretion, and independence that associates and assistants need to be responsible and accountable for the delegated work they perform.

There is also a significant difference in the quality of the legal work that is delegated. At the Management end of the scale, delegated work tends to be routine, low-risk, and uncomplicated. Much of the work is mis-delegated. For example, associates are delegated work that could be performed equally well by paralegals or other non-lawyer personnel. In firms toward the Leadership pole of the spectrum, delegation is integrated into professional development and mentoring. Associates and assistants perform

relatively sophisticated, important legal work under the guidance of a partner, thereby gaining skills and experience years before their counterparts in other firms. This experience provides a platform to undertake even more challenging assignments.

#### ***From Solving Problems for Others to Solving Problems Through Others***

One of the major duties of law firm partners and administrators at the Management end of the scale is to solve problems. Rather than attempt to solve a problem themselves – and risk making the situation worse – associates and support staff are required to refer the problem to a partner or administrator, who solves the problem for them and communicates the result, if they are lucky.

In a law firm of leaders, by contrast, everyone is expected to take the initiative to define, analyze, and gather facts about a problem, as well as to develop a proposed solution. They have been provided with the skills and knowledge they need to attack problems within their respective areas of expertise. Managers acknowledge that, in most cases, those who work with a process every day are usually the best qualified people to solve problems that arise. Rather than refer every problem up the chain of command, people have well-defined and clearly communicated areas of responsibility, authority, and accountability to solve problems as they arise. Permitted to solve their own problems, people develop problem-solving skills and self-confidence that enable them to be even more effective trouble shooters and problem solvers in the future.

#### ***From Maintaining Individual Performance to Improving Group Performance***

Good managers pay attention to individual performance. They believe that a group can be no better than each of its individual members. Well-managed firms invest substantial resources in keeping individual performance up to prescribed standards. Little effort is made, however, to improve performance beyond a satisfactory level. If performance falters, personal deficiencies are almost always blamed. Hence, law firms at the Management end of this scale may sometimes respond to problems by scapegoating. This response discourages people from pointing out problems or exercising initiative to solve them.

Great leaders understand, however, that a high performance group is more than just the sum of its parts. Firms that have moved toward the Leadership end of the scale pay attention to, and invest heavily in, personal performance; but they also focus on cross-functional systems and processes in the firm. They

seek new ways for people to combine their individual skills and expertise. They pay attention to group development.

The difference between Management and Leadership in this scale frequently shows up in cross-selling. Firms toward the Management pole usually have difficulty in implementing cross-marketing successfully and sustaining it over more than a few months. Firms at the Leadership end usually are more successful at cross-marketing, because their underlying leadership behaviours already emphasise group performance.

#### ***From Ad Hoc Training to Developing Skill Sets***

Almost every law firm agrees that training is a critical management responsibility. At the Management end of the scale, training tends to be “just in time” or “picked up” from a co-worker. It is usually directed at individual training needs, rather than skills and knowledge that are needed within a group. Even in well-managed firms, training tends to be focused on meeting present needs, rather than clearly identified future ones.

Great leaders, by contrast, develop skill sets at both the individual and group level that will meet present and future needs. Individual development efforts not only meet current needs, but also support long-term professional development to enable the person to exercise greater responsibility in the future.

#### ***From Managing the Work to Managing Communication***

Good managers focus on workloads, work distribution, and the efficiency with which work flows through the organisation. They often overlook, however, the impact that poor internal communication about the work can have on overall efficiency. As a result, firms at the Management end of this scale, often suffer from unnecessary duplication of effort and poor knowledge sharing. For example, one partner may spend many hours drafting a document almost identical to one that her partner drafted, unbeknownst to her, only six months before.

Great leaders pay attention to work management, but they also ensure that communication about the work flows freely and swiftly throughout the firm. They develop and maintain up-to-date document management systems, precedents, and “know-how” books. Lawyers are rewarded for collaboration across traditional practice area or departmental boundaries, even when it may adversely affect their own personal revenue production.

### ***From Correcting Work to Providing Feedback***

Partners correct the work of associates and assistants in firms at the Management end of the scale. Some will even provide marked-up copies of documents, so that the less-experienced lawyers can learn from their mistakes.

In law firms of leaders, by contrast, partners take time to provide ongoing feedback at frequent, regular intervals. The goal of these feedback sessions is to plan improvements in performance, not just to conduct a postmortem of past mistakes. Leaders also use praise, a feedback tool that is usually overlooked at the Management end of the scale. The goal is to keep people doing what they already do well, as well as to improve performance in the future.

### ***From Monitoring Work Quality to Improving Work Quality***

Measurement is a hallmark of the well-managed law firm. At the Management end of the scale, most of the firm's effort goes to monitoring performance metrics such as error rate, reasons for write-offs of time, and processing times. Lacking an understanding of statistical process control and variation, however, these firms also tend to overreact to relatively minor, short-term, variations in performance. At best, managers will impose short-term solutions with little or no input from the people who actually do the work. As a result, they are constantly chasing the numbers with no meaningful result.

Chasing the numbers can be a deadly sport for any business. Quick fixes are tempting, especially when the firm has not shown consistent profitability or steady cash flow. Quick fixes in response to short term fluctuations in financial performance can provide short-term benefits. However, quality management research establishes that such reactions – also known as tampering – will usually make things worse long term, either by making the process even more unpredictable or by producing unexpected problems in other areas.

Firms toward the Leadership end of the spectrum use performance measurements to diagnose and address defective work processes. Rather than just monitor quality, these firms are engaged in the continuous improvement of every critical internal work process. They understand the principles of variation and use them to spot problems before they become crises. Quality improvement is very much a bottom-up initiative, encouraged and rewarded by senior management rather than dictated by it.

## **Diagnosing the Leadership State of a Law Firm**

The first step in developing a law firm of leaders is to understand the current leadership state. The behavioural model can serve as a penetrating diagnostic tool by plotting the current position of the firm along each of the ten scales.

Most lawyers and law firms will find that their behaviours tend toward the Management end on some scales and toward Leadership on others. There are no right or wrong answers or “healthy” or “unhealthy” positions in each scale. The practice environment and cultural context will determine to some extent each firm's initial position. For example, a small, internally competitive litigation firm with an “eat what you kill” compensation system may produce a leadership profile that is dramatically different from an intellectual property firm.

The leadership diagnostic frequently produces unwelcome surprises. It will reveal the extent to which management's exhortations and sloganeering about leadership have had any effect in the day-to-day life of the organisation. It may also point out hidden leadership strengths that operate at the working level of the firm, unknown and unappreciated by the firm's nominal leaders.

Honest diagnosis is a critical first step toward building leadership in an organisation. All the leadership theory in the world will have little effect if a law firm does not take a frank look at behaviours and their impact on people's ability to deliver quality services and products to their clients.

## **Setting Priorities for Leadership Development**

The behavioural model also helps set priorities, for groups and individuals alike, for the development of leadership within the firm. Start with the scales where the firm is farthest from the Leadership pole. What specific behaviours does the firm need to encourage and reward in order to move toward the Leadership end of the scale? What current practices and policies inhibit this movement? Answering these questions will give the firm an agenda for leadership development that is specific, measurable, and actionable. Most importantly, the agenda will be relevant to the culture and practices of the firm.

Law firms need to move from the Management end of each scale toward the Leadership end. This does not mean that a firm should repudiate sound management

practices and principles that are characteristic of the Management pole of the spectrum. Instead, the firm should keep what is useful, leave behind that which is not, and add new behaviours that encourage and sustain success.

### **Building Leadership One Person at a Time**

To transform an organisation, one must first transform individuals. The behavioural model works well for whole law firms, practice groups, and individuals. It identifies behaviours and habits that obstruct movement to a law firm of leaders, as well as those that support leadership development.

Many of us still seek leadership gurus. We long for checklist solutions to the age-old riddle of how to motivate highly individualistic professionals to achieve their potential as a team. The more practical solutions – the ones that produce the best, longest lasting results – may well be found by looking inward to the way we practice our profession and do our work every day. The behavioural model for law firm leadership is one tool that can help us discover the solutions that are already within us.

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