

Leadership in Law Firms: An Expert Guide

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Leadership in law firms

By Dr Larry Richard, founder and principal consultant, LawyerBrain LLC

RESEARCH AT Harvard Business School by John Kotter demonstrated that the felt need for leadership increases in an organization when the pace of change increases, especially external change. In times of great change, no one has perfect information about the future. Hence, leaders emerge to guide people in a particular direction despite the lack of complete information. Because of the risks and uncertainties inherent in this situation, the main capital required and utilized by leaders is trust. In order to have constituents follow them, leaders must engender sufficient trust.

This poses a distinct challenge in law firms. In recent years, law firms, like virtually all other businesses, have begun to face dramatically increasing levels of change and uncertainty, and the role of leadership has increased correspondingly. However, law firms are not like most conventional businesses, principally because they are in the business of protecting clients in a very technical way and this, in turn, requires a high degree of skepticism. It turns out that skepticism is an excellent trait to have if one wants to be a top-notch lawyer, but it's a very undesirable trait to have if one wants to be an effective leader. When leaders are skeptical, constituents naturally act reciprocally and become skeptical of their leaders. This deprives the leader of the

very trust needed to get those constituents to become avid followers.

This interplay between trust and skepticism is but one of several challenges lawyers face in becoming excellent leaders. To better understand these challenges, let's first look at the personality traits that are distinctive for lawyers, and then consider how they interact with the five practices of excellent leaders (based on a model developed by Jim Kouzes and Barry Posner).

Lawyer personality traits

Over the past 20-plus years, I have conducted extensive personality research with a wide variety of lawyers, mostly in the US and Canada, and mostly among partners. I have tested thousands of lawyers using a widely used assessment tool called the Caliper Profile. The Caliper measures 18 personality traits. Each trait is reported in the form of a percentile, which, by definition, tells us that your score is being compared to a norm group. For example, a 75 percent score on "assertiveness" tells us that you are more assertive than 75 percent of the people in the norm group.

When occupational subgroups are tested, while individual scores can vary widely, the larger the subgroup size, the more likely it is that the *average* score for each trait will hover around the 50th percentile. Lawyers, however, are outliers on six of the 18 traits, and are trending toward outlier status on a 7th trait.

Specifically, lawyers tend to score much

higher in the following traits than the general public:

- Skepticism;
- Autonomy;¹
- Urgency; and
- Abstract reasoning.

And they tend to score lower than the public in the following traits:

- Sociability;
- Resilience; and
- Empathy.

Here is a brief explanation of each of the traits:

High skepticism

As noted above, this is the hallmark trait for practicing high-quality law. Those scoring high on this trait tend to question assertions made by others. They don't tend to give others the benefit of the doubt. They may wonder what hidden motives lurk behind ordinary behaviors. And they scrutinize documents, decisions, and rules.

High autonomy

Those scoring high on this trait like to be in control – they don't like others telling them what to do. Their preferred guidance system is internal, not external. When others ask them to do something, they will decide if it fits their own criteria first. Surely it is this trait which has led so many to describe managing lawyers as a task akin to “herding cats”.

High urgency

Those scoring high on this trait are impatient. They seek closure. They can't stand waiting. They may finish others' sentences. They often are described by others as “ready-fire-aim” people.

High abstract reasoning

Those scoring high on this trait love to analyze, solve problems, and use their intellect. This is a hallmark trait of lawyers. It's the number one trait that explains who goes into law as well as who stays in law. Overuse of this trait can lead to the classic “analysis paralysis”.

Low sociability

Those scoring low on this trait are very private socially. They prefer not to disclose a lot about their personal life, their vulnerabilities, or their relationships. They don't tend to pay as much attention to the personal lives of others (compared to high-scoring individuals). It takes them a long time to initiate an intimate connection with another person. They often tend to see relationships and related themes as “touch-feely”, lower in importance, or awkward.

Low resilience

Those scoring low on this trait are thin-skinned in the face of criticism, rejection, or setbacks. They get defensive quite easily, and often feel a need to explain and justify their behavior to others. They can be easily wounded by a critical comment, or even by a client's failure to return a call. Lawyers consistently score very low on this trait. In fact, over the past 20 years, over 90 percent of the lawyers we test score in the bottom half of this trait.

Low empathy

In my initial research on lawyers, their average “empathy” score was 63 percent.² However, as I have gathered more data over the years, the average score has become lower and lower. These days, the average empathy score for partners I test hovers around 41 percent.

“Empathy” requires some explanation

– there are at least two kinds of empathy – emotional empathy and cognitive empathy. Emotional empathy has a connotation of stepping into the shoes of another person and feeling what they feel, as in “I feel your pain”. Cognitive empathy, by contrast, has a connotation of *understanding* another person – *intellectually* understanding their point of view, their feelings, how they might react to something, or why they behave in the way they do. Those scoring low on this trait generally pay attention to their own agenda when interacting with others. It may take them additional cognitive effort to shift their attention to enter the world of the other person. A low-scoring individual may or may not actually be skilled at doing this – the score is not a measure of skill – but rather it measures one’s inclination to pay attention to the experience, goals, reactions, etc., of the other person as opposed to one’s own experience, etc.

Kouzes and Posner’s five leadership practices

With this backdrop, let’s look at the research that reveals the qualities of effective leaders, and consider what challenges we might face in law firms in our efforts to develop leaders with these qualities.

Effective leadership is a series of behaviors. The leading empirical model of effective leadership has been developed by Jim Kouzes and Barry Posner, authors of the best-selling book *The Leadership Challenge*. Here are the five core practices, according to over 30 years’ worth of research that they’ve conducted, that the most effective leaders do and do well, paraphrased from their writings:

Model the way

Leaders serve as role models. They set an example for others to follow. And they

establish standards of excellence about how people should be treated, how goals should be pursued, etc.

Inspire a shared vision

Leaders passionately believe that they can make a difference. They envision the future, creating an ideal and unique image of what the organization can become. Through their magnetism and quiet persuasion, leaders enlist others in their dreams. They breathe life into their visions and get people to see exciting possibilities for the future.

Challenge the process

Leaders search for opportunities to change the status quo. They look for innovative ways to improve the organization. In doing so, they experiment and take risks. And because leaders know that risk-taking involves mistakes and failures, they accept the inevitable disappointments as learning opportunities.

Enable others to act

Leaders foster collaboration and build spirited teams. They actively involve others. Leaders understand that mutual respect is what sustains extraordinary efforts; they strive to create an atmosphere of trust and human dignity. They strengthen others, making each person feel capable and powerful.

Encourage the heart

Accomplishing extraordinary things in organizations is hard work. To keep hope and determination alive, leaders recognize contributions that individuals make. In every winning team, the members need to share in the rewards of their efforts, so leaders celebrate accomplishments. They make people feel like heroes.

Effect of personality on leadership

How do the common lawyer personality traits affect the execution of these five practices?

Model the way

Effective leaders build trust, treat others with respect, listen well, and subordinate their own interests to those of the organization. Skepticism, the hallmark trait of lawyers, is the opposite of trust.

The good news: although most personality traits are more genetic than learned, skepticism is a mostly learned trait. This means that a lawyer-leader could conceivably be skeptical in his/her lawyer role, and dial back their skepticism in their leadership role. In actual practice, however, this is rare.

Urgency is another challenge that lawyer-leaders need to manage in order to increase their leadership effectiveness. It is generally an advantage to be urgent in managing a case for a client – clients usually place a high value on responsiveness. However, urgency can interfere with a leader's efforts to be open-minded and to be a good listener. One can learn to manage urgency, but it generally takes intense coaching, lots of rehearsal, and patience.

Inspire a shared vision

The most powerful visions are positive portraits of a desired future that evoke a passionate desire in the hearts of constituents. Skepticism again becomes a potential spoiler for lawyer-leaders seeking to inspire. Lawyers are trained to spot problems, identify risks, and focus on what won't work. By contrast, leaders need to arouse constituents' passion about what *will* work.

Challenge the process

Leaders take risks. No leader ever

has complete information, so leaders must choose a direction with imperfect information. Lawyers are trained to avoid risk. In particular, the low "resilience" scores of lawyers induce them to avoid taking any action for which they might be criticized. Leaders are far more often the targets of criticism than others are, and they need to be thick-skinned enough to tolerate the criticism. Luckily, resilience is another exceptional trait that has a strong learned component, which means that lawyers can learn to become much more resilient by applying a relatively simple set of cognitive strategies and rehearsing them until they become habitual.

Enable others to act

Leaders foster teamwork. They realize that they can't do it all themselves, and they willingly involve others in moving a goal forward. Lawyers with high "autonomy" scores like to retain as much control as they can. This is further amplified not by personality, but by the ethic that permeates the legal profession of protecting confidentiality. This mindset leads many lawyer-leaders to guard information closely and only provide it to those with a "need to know". This strategy, unfortunately, can lead to an emphasis on individual performance, undermine teamwork, lower trust, and place greater responsibility on the shoulders of the leader instead of allowing him/her to share responsibility with others.

Encourage the heart

Finally, leaders are generous in recognizing the efforts of others, and in rewarding small steps that incrementally move toward the larger goal. The low "sociability" scores of lawyers can make them insensitive to this valuable practice, and avoidant of praise, which they often see as "touchy-feely".

This deprives the lawyer-leader of one of the most effective forms of non-monetary reward.

What you can do about it

Lest you think that it's impossible for lawyers to be effective leaders, let me offer a ray of hope. Think of personality traits as one's "default" strategy for approaching the world, or as one's "comfort zone". A personality trait describes how we *prefer* to behave when no other factors are influencing our behavior.

However, human beings are excellent at learning new behaviors, and provided there is sufficient motivation to improve, nearly any lawyer can learn how to manage their strongest personality traits so that they can be toned down when you're in a leadership role.

The key to this kind of "management" is mental rehearsal – the more one practices new ways of responding in old, familiar situations, the more likely it is that you can build new repertoires of behavior. Let me give you an example from my own experience. I have a very high "urgency" score. In fact, I score in the 99th percentile. That means I'm more urgent than 99 percent of the norm group. That also means that my comfort zone is manifested by my finishing others' sentences, jumping to conclusions, and being impulsive.

These qualities can be quite helpful in some situations, but they are toxic in a leadership role. The key to managing any personality trait is to become aware of the "thought" that takes place between the "stimulus" and the "response", and then to modify that thought.

Contemporary psychological science has demonstrated that "thoughts" lead directly to "feelings", which lead to "behaviors", and thus if you become conscious of your

thoughts, and modify them, you thereby produce a different feeling, and ultimately a different behavior.

This sequence – often called the "CBT model" after cognitive-behavioral therapy (the field in which this model was developed) – is very effective in managing a wide range of behaviors, and it's quite possible to see a significant amount of improvement in managing unwanted behaviors even through a self-help strategy. Knowledgeable coaching can effectuate even more profound and long-lasting change.

In summary

To summarize, rapid change produces a need for effective leadership. Law firms are undergoing just such rapid change, and need leadership. However, the kinds of personality traits that typify lawyers – and which can help them to be really excellent lawyers – can inhibit their excellence as leaders. Nevertheless, a mindful lawyer-leader who is willing to mentally rehearse new thoughts and behavioral repertoires can dramatically improve their leadership effectiveness.

About the author

Dr Larry Richard practiced law for ten years, and then earned a PhD in psychology. He chaired the leadership practice at Hildebrandt International for seven years before founding his own firm, LawyerBrain LLC, which provides consulting services to the leaders of the largest law firms. You can find his blog at www.lawyerbrainblog.com.

References

1. The Caliper doesn't measure "autonomy" per se; it measures a trait called "external structure". When an external structure score is low, it often means that the individual has a higher need for autonomy, and vice versa.

I just find it more user-friendly to speak of this trait as "autonomy".

2. This didn't make sense at the time, and it makes even less sense now. Either my sample was skewed, or lawyers' cognitive empathy scores have become lower, or both.

Larry Richard, J.D., Ph.D.



Improving Lawyer Performance Through Personality Science

Larry Richard, J.D., Ph.D.

Founder & Principal Consultant

Gallup-Certified Strengths Coach:

Adaptability * Ideation * Relator * Maximizer * Empathy

LawyerBrain LLC

303 W. Lancaster Ave., #332, Wayne, PA 19087 USA

E: drlarryrichard@lawyerbrain.com

T: 610.688.7400 | M: 610.304.2966

W: www.lawyerbrain.com

LinkedIn: <http://www.linkedin.com/in/lawyerbrain>

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