

# 7 Levels of Change: Advocates, Resisters, and What to Do About It

**NALP 2016**

**Anne Collier &  
Kathleen Dunn**

## Worksheets and Articles

Understand Why Change Happens

Resistance To Change Scale

7 Levels Of Change Reference Guide

Style Matters: How Cognitive Diversity Affects Your Work

Help Them Amp Up Business Development With Style

Culture Matters

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# NALP 2016

## Anne Collier and Kathleen Dunn

### UNDERSTAND WHY CHANGE HAPPENS

*What's going on around you and your organization, and how is it impacting what you do?*

Directions: Fill in the blank with the word *Firm* and then repeat the process with other areas that may impact who you are and what you do. Examples may include *attorneys, the economy, use of technology, global factors*, etc.

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How is (are) \_\_\_\_\_ changing?

---

What is the impact on you?

---

What can you do?

---

Do you see any patterns or trends? What are they?

---

How critical is it you respond to them? What happens if you do nothing?

## RESISTANCE TO CHANGE SCALE

Resistance to change can manifest itself in many ways. Some individuals are very open about their anxiety and will loudly and forcefully challenge the change while others will be less overt about their reactions. Their resistance may show itself in more passive ways such as missing meetings, calling in sick, or not completing assigned tasks.

No matter what the reason, resistance to change can jeopardize new initiatives, result in less productivity and even create conflict. The challenge is not just in recognizing and identifying an individual's level of resistance to change, the challenge is knowing how to mitigate the resistance and generate forward movement – or, at the very least, compliance. By evaluating and understanding your own level of resistance to change, you are better able to recognize and help others manage theirs!

Whether in the data-gathering, feedback, or implementation phases of an engagement, an OD practitioner is likely to find clients or organizational members that resist change. The following resistance to change scale was “designed to tap an individual's tendency to resist or avoid making changes, to devalue change generally, and to find change aversive across diverse contexts and types of change” (Oreg, 2003, p.680). Complete the scale yourself, then answer the discussion questions at the end.

### INSTRUCTIONS

Listed below are several statements regarding one's general beliefs and attitudes about change. Please indicate the degree to which you agree or disagree with each statement by selecting the appropriate number on the scale next to it. Describe yourself as you generally are now, not as you wish to be in the future. Describe yourself as you honestly see yourself, in relation to other people you know of the same sex as you are, and roughly your same age.

| Statement                                                                                                                                            | Strongly Disagree | Disagree | Inclined to Disagree | Inclined to Agree | Agree | Strongly Agree |
|------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|----------|----------------------|-------------------|-------|----------------|
| 1. I generally consider changes to be a negative thing.                                                                                              | 1                 | 2        | 3                    | 4                 | 5     | 6              |
| 2. I'll take a routine day over a day full of unexpected events any time                                                                             | 1                 | 2        | 3                    | 4                 | 5     | 6              |
| 3. I'd like to do the same old things rather than try new and different ones.                                                                        | 1                 | 2        | 3                    | 4                 | 5     | 6              |
| 4. Whenever my life forms a stable routine, I look for ways to change it.                                                                            | 1                 | 2        | 3                    | 4                 | 5     | 6              |
| 5. I'd rather be bored than surprised.                                                                                                               | 1                 | 2        | 3                    | 4                 | 5     | 6              |
| 6. If I were to be informed that there's going to be a significant change regarding the way things are done at work, I would probably feel stressed. | 1                 | 2        | 3                    | 4                 | 5     | 6              |
| 7. When I am informed of a change of plans, I tense up a bit.                                                                                        | 1                 | 2        | 3                    | 4                 | 5     | 6              |

| Statement                                                                                                                                                                      | Strongly Disagree | Disagree | Inclined to Disagree | Inclined to Agree | Agree | Strongly Agree |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|----------|----------------------|-------------------|-------|----------------|
| 8. When things don't go according to plans, it stresses me out.                                                                                                                | 1                 | 2        | 3                    | 4                 | 5     | 6              |
| 9. If my boss changed the performance evaluation criteria, it would probably make me feel uncomfortable even if I thought I'd do just as well without having to do extra work. | 1                 | 2        | 3                    | 4                 | 5     | 6              |
| 10. Changing plans seems like a real hassle to me.                                                                                                                             | 1                 | 2        | 3                    | 4                 | 5     | 6              |
| 11. Often, I feel a bit uncomfortable even about changes that may potentially improve my life.                                                                                 | 1                 | 2        | 3                    | 4                 | 5     | 6              |
| 12. When someone pressures me to change something, I tend to resist it even if I think the change may ultimately benefit me.                                                   | 1                 | 2        | 3                    | 4                 | 5     | 6              |
| 13. I sometimes find myself avoiding changes that I know will be good for me.                                                                                                  | 1                 | 2        | 3                    | 4                 | 5     | 6              |
| 14. I often change my mind.                                                                                                                                                    | 1                 | 2        | 3                    | 4                 | 5     | 6              |
| 15. I don't change my mind easily.                                                                                                                                             | 1                 | 2        | 3                    | 4                 | 5     | 6              |
| 16. Once I've come to a conclusion, I'm not likely to change my mind.                                                                                                          | 1                 | 2        | 3                    | 4                 | 5     | 6              |
| 17. My views are very consistent over time.                                                                                                                                    | 1                 | 2        | 3                    | 4                 | 5     | 6              |

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Note. From "Resistance to Change: Developing an Individual Differences Measure," by S. Oreg, 2003, *Journal of Applied Psychology*, 88(4), pp. 680-693. Copyright 2003 by Shaul Oreg. Reprinted with permission.

## SCORING INSTRUCTIONS

Items 4 and 14 need to be reverse coded (i.e., strongly disagree will score a 6 on these items, and strongly agree will score a 1). The resistance to change score is the mean of the 17 items (after reversing the scores of items 4 and 14). The scale also comprises the following four subscales.

**Routine Seeking: Items 1–5.** This factor describes the degree to which the participant incorporates routines into life.

**Emotional Reaction: Items 6–9.** These items describe (emotional reactions to imposed change: (Oreg, 2003, p. 681).

**Short-Term Focus: Items 10–13.** This factor describes “the immediate inconvenience or adverse effects of the change,” which illustrates “resistance that arises in spite of one’s awareness of the potential long-term benefits involved in the change” (Oreg, 2003, p. 681).

**Cognitive Rigidity: Items 14–17.** This subscale “contains items that address the ease and frequency with which individuals change their minds” (Oreg, 2003, p. 682).

### **Discussion Questions**

1. What is your resistance to change score?
2. To what degree do you prefer routine over change? Can you think of a time when your routine was interrupted? How did you react?
3. How would you describe your emotional reaction to change?
4. Have you had a negative response to the short-term impact of a change, even though you could see the long-term benefit? What did you do?
5. How easy is it for you to change your mind? Why?

### **REFERENCE**

Oreg, S. (2003). Resistance to change: Developing an individual differences measure. *Journal of Applied Psychology*, 88(4), 680-693.

## 7 Levels of Change Reference Guide

| Level                                                 | Fears and Behavior                                                                                                 | What it looks like and what to do about it                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. <b>Effectiveness:</b><br>Doing the Right Things    | <i>Paralysis.</i> Fear of doing the wrong things. Doing nothing. Waiting.                                          | <p>Example: First-Year Attorney, “Eeks! What am I supposed to do!?”</p> <p><u>What To Do About It</u></p> <ul style="list-style-type: none"> <li>• On-boarding programs</li> <li>• Effective mentoring program</li> <li>• Training needs to go beyond “billing” and “ethics” to professional skills such as               <ul style="list-style-type: none"> <li>◦ Project management</li> <li>◦ Time management</li> </ul> </li> <li>• Developing solid new habits (e.g. always prepared for meetings)</li> <li>• “Soft” skills               <ul style="list-style-type: none"> <li>◦ How to take a meeting with a senior partner;</li> <li>◦ How to follow up</li> <li>◦ Give and receive feedback</li> </ul> </li> <li>• Feedback is critical</li> </ul> |
| 2. <b>Efficiency:</b><br>Doing the Right Things Right | <i>Inefficiency.</i> Fear of wasting time. Fear of doing the right things wrong. Asking constantly for directions. | <p>Example: Junior Attorney, “I think I know what I am supposed to do, but I need to be more productive!”</p> <p><u>What To Do About It</u></p> <ul style="list-style-type: none"> <li>• Be sure to have them focus on doing the right tasks right so they aren’t doing the wrong tasks.</li> <li>• Teach them how to               <ul style="list-style-type: none"> <li>◦ Take notes</li> <li>◦ Prepare and present in different kinds of meetings;</li> <li>◦ Deliver the best possible product</li> </ul> </li> <li>• Encourage and help to become the “go-to” associate; develop a niche; build trust and relationships</li> </ul>                                                                                                                     |

| Level                                       | Fears and Behavior                                                                                                                                                                                                   | What it looks like and what to do about it                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>3. Improving:</b><br>Doing Things Better | <i>Catastrophizing</i> : Seeing only the worst case. Fear of things getting worse.                                                                                                                                   | <p><u>Example</u>: Midlevel Attorney, “How do I distinguish myself? Better yet, what <i>am</i> I doing here?”</p> <p><u>What To Do About It</u></p> <ul style="list-style-type: none"> <li>• Get them to focus on one thing at a time and focus on the result</li> <li>• Get them involved on committees</li> <li>• Encourage to take initiative               <ul style="list-style-type: none"> <li>◦ Help figure out how to ask the RIGHT questions</li> <li>◦ Begin to coach/mentor younger associates</li> </ul> </li> <li>• Help them figure out where they are going; encourage them to               <ul style="list-style-type: none"> <li>◦ Have both an overarching IDP and 1, 3, and 5-year action plan</li> <li>◦ Focus on career development</li> <li>◦ Keep up with learning beyond checking off the CLE box</li> <li>◦ Develop a reputation as a “go-to” attorney</li> <li>◦ Identify skill gaps</li> </ul> </li> </ul> <p>Often this is where we see associates question their career choices. . .</p>                                                                                                      |
| <b>4. Cutting:</b> Doing A way with Things  | <i>Holding On</i> : Fear of letting go. Focusing on the 80% that only brings 20% of the value. Fear that stopping doing something will be a mistake. Wanting to keep on doing it the old way. Just-in-case thinking. | <p><u>Example</u>: Merit-based programs have been around, and yet associates will complain, “What do you mean I won’t be advancing lock-step?” Level 4 changes are any change that requires letting go of the way things have been.</p> <p><u>What To Do About It</u></p> <ul style="list-style-type: none"> <li>• Help them develop mentoring/coaching/delegation skills. In order to grab something new, they must be able/willing to let go of something else.</li> <li>• Help them let go by asking               <ul style="list-style-type: none"> <li>• Why? Why not?</li> <li>• What is the worst-case scenario?</li> <li>• Are you prepared if your firm should close its doors tomorrow?</li> </ul> </li> <li>• Avoid personalization and blaming;</li> </ul> <p>When our firm was going through the “combination” about 1/3 of the associates froze and just kept their heads down – continuing to work on what they’d always been working on; 1/3 left immediately – no stomach for this kind of change; the remaining got busy building new relationships and programs; turned up the business development.</p> |

| Level                                                  | Fears and Behavior                                                                                                                                                                                                                             | What it looks like and what to do about it                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|--------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5. <b>Copying:</b> Doing Things Others Are Doing       | <i>Self-Doubt.</i> Fear of not being physically able. Fear of not copying the right thing; of copying the right things wrong; of be laughed at; of criticism.                                                                                  | <p><u>Example:</u> Copying other firms who have done away with lockstep progression for associates. Associates say, “What if I don’t make it? What if I never progress?”</p> <p><u>What To Do About It</u></p> <p>Help them by</p> <ul style="list-style-type: none"> <li>• Encouraging them to think about what’s missing; to notice things</li> <li>• Supporting a mindset shift from can’t do to can do.</li> <li>• Getting them to break it into steps so they know what to do next.</li> <li>• Urging them to find answers to the “how-to” whether it be via a mentor or other strategies.</li> </ul>                                                                                                                                                                                                                                                                                    |
| 6. <b>Different:</b> Doing Things No One Else Is Doing | <i>Normalcy.</i> Fear of being different; of being noticed; of being laughed at; of rejection; of tradition; of trying different things that might not work; of falling off trying; of the unexpected; getting hurt; of exposure.              | <p><u>Example:</u> More senior attorney, “This is crazy! Other firms aren’t using eLearning!” When faced with a new idea, process, or opportunity, lawyers often don’t want to be first. Years ago, getting your CLEs on-line was unheard of; now it’s the default. And, as technology moves along at lightning speed, law firms are struggling to update their infrastructure (technology) and keep up with on-demand learning. Younger associates are VERY comfortable with technology and prefer to get their information that way.</p> <p><u>What To Do About It</u></p> <p>Help them by</p> <ul style="list-style-type: none"> <li>• Encouraging them to approach the change from a different angle</li> <li>• Getting them to think about what’s currently missing</li> <li>• Pointing out similarities to what they’re already doing/similar successful changes.</li> </ul>            |
| 7. <b>Impossible:</b> Doing Things That Can’t Be Done  | <i>Disbelief.</i> Fear of the unknown; of not having a basis of comparison; of believing; that I can’t do that; of a fault, a weakness in a safety system below you; of the point of no return; The sum of all fears. Lack of self-confidence. | <p><u>Example:</u> Attorney, “Are you CRAZY?!!!!” Examples include:</p> <ul style="list-style-type: none"> <li>• Law firms using social media</li> <li>• The commoditization of services such as document review and certain filings; these days clients are driving the business and the days of “retainer” are certainly waning;</li> <li>• Clients sourcing work to more than one firm</li> <li>• Largest retailer in the world has no brick and mortar store (Amazon)</li> <li>• Performance management replacing lockstep</li> </ul> <p><u>What To Do About It</u></p> <ul style="list-style-type: none"> <li>• Give resisters time; we note that level 7 changes move to level 6 pretty quickly because after the impossible sees the light of day for long enough it doesn’t seem impossible.</li> <li>• Encourage them to suspect their judgment and dream about benefits.</li> </ul> |



Any change is a great time to revisit out different kinds of learning. Not all learning happens in a formal classroom. In fact, very little of it happens there.

- Think about experiential learning – how are individuals learning? How can they leverage it?
- Think of learning as 70-20-10 – 70%=experience; 20%=exposure (e.g. observation, participation, etc.); 10%=education
- Become the example – proactive vs. reactive



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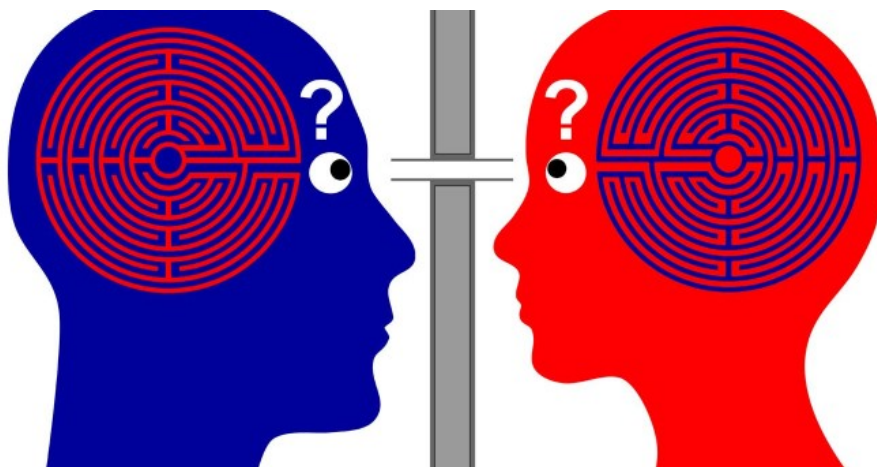
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## Style Matters: How Cognitive Diversity Affects Your Work

BY ANNE COLLIER ON AUGUST 15, 2014 ·

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By Anne Collier

Has this ever happened to you? You work with a client and it feels like you're from a different planet...or perhaps it's your colleague who is from Neptune. Here's what happens: you raise concerns, you provide options, you are ready to engage in a productive dialogue to identify the best strategy, and your colleague (or client) dismisses your ideas as if you are from another reality – Neptune, that is. You've just experienced *cognitive diversity*. It's not just that you have a different perspective, you and this other person truly do think differently. Let's consider the following example of cognitive diversity, its impact on work relationships, and what can be done to ensure such diversity doesn't derail success.

Greta is the general counsel of a computer software firm that is seeking to acquire a start up to get its hands on proprietary software and eliminate its future competition. Greta hires Medium Law to make it all happen. Oscar and Madison head the legal team. Overall, Greta is satisfied with the firm's work. There's just one thing: Madison drives her nuts with crazy ideas that seem to have no grounding in reality or hope of succeeding. To make matters worse, she worries that Madison is sloppy or ignores the practicalities and details. Greta complains,

"What kind of lawyer is she!? How can she expect a deal to work if she doesn't spend the time figuring everything out?"

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Greta's CEO Penelope is another story. Penelope can't stand lawyers — even her own general counsel at times. She doesn't understand how they get anything done with all of their non-linear thinking. Penelope thinks it is ironic that lawyers go to school to learn the law, yet seem to disregard it at every turn.

You don't want anyone to think you're like Madison — hard to work with because you seem to operate outside the norms of structure and rules. Nor do you want anyone to think you're like Penelope — hard to work with because you nitpick. Worse, you don't want anyone to think you are lazy, limited, or incompetent because of your problem-solving style. That said, whether you are more like Madison or Penelope, not only can you manage perceptions, but you also can work more effectively with clients and colleagues by adjusting your style to match theirs.

Let's explore cognitive diversity through the lens of Adaption-Innovation Theory (A-I Theory) and the Kirton Adaption-Innovation Inventory (KAI).

## The Benefit and Challenge of Cognitive Diversity

Successful collaborations require individuals to effectively manage and leverage differences in problem-solving style, i.e., cognitive diversity. The challenge is that while cognitive diversity generally means greater ability to solve a wider range of problems, it also can distract from the work. Increasing awareness and understanding of differences and their implications for collaboration is a necessary step for both leveraging and reducing the friction often resulting from different styles.

Because we work together to solve problems in our personal and business lives, understanding diversity makes for better personal relationships, work, and working relationships. Accordingly, if Greta, Penelope, Oscar, and Madison understand each other's problem-solving styles, not only can they adjust their styles to interact more effectively, but they will likely grow to recognize such differences as advantageous and value each other.

Even if you don't have the luxury of knowing other's problem-solving style via an assessment such as KAI, once you understand the basic principles of the A-I Theory, you'll be able to make educated guesses that will lead to more effective and successful interactions. Let's explore A-I Theory and the KAI's theoretical underpinnings.

## The Paradox of Structure

At the core of problem solving is creativity, and all people are creative. All people use their creativity to solve problems that arise from an ever-changing environment. All people, however, do not similarly deal with a critical facet of problem solving: the paradox of structure. The paradox of structure is the seemingly incongruous fact that structure both enables and limits one's ability to solve a problem. The structure, whether in the form of rules, norms, or the "way it's always been done," enables problem solving by providing the mechanism or rules to solve a problem. The structure, however, also limits options to solve a problem by eliminating options, or delineating strategies as not viable because they are outside the paradigm or break the rules.

People have a fixed preference for dealing with the paradox of structure. Some — like Penelope — more easily tolerate the structure's limitations because it provides a ready and workable solution. This is called Adaption.

Others, like Madison, prefer to ignore or fail to notice structure when problem solving. The latter group is generally more focused on flexibility and efficiency and is less attached to the system currently in place. This is called Innovation — Madison barely notices rules, if at all, and this style of problem-solving annoys those, like Penelope, who view the rules as an essential problem-solving tool.

## The Elements of Problems-Solving Style: Adaption and Innovation Defined



### IN THIS ISSUE

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The table below briefly summarizes the more Adaptive and more Innovative styles:

| SUMMARY PROBLEM-SOLVING STYLES           |                                        |
|------------------------------------------|----------------------------------------|
| More Adaptive Style                      | More Innovative Style                  |
| Prefer more structure                    | Prefer less structure                  |
| Sensitive to norms/people's expectations | Prepared to ruffle groups              |
| Target ideas                             | Proliferate ideas                      |
| Master details                           | Less constrained by how it's been done |
| Consistent                               | Challenge assumptions                  |
| More prudent risk takers                 | More daring risk takers                |

The KAI is composed of three subscales: sufficiency of originality, efficiency, and rule and group conformity. Sufficiency of originality describes idea-generation style. Efficiency describes methodology of problem solving. Rule and group conformity describes the management of structure in terms of both impersonal structures, such as rules, and personal structures, such as collaboration norms. Summary tables below give an overview of each component in the context of more Adaptive and more Innovative styles.

### Idea Generation Style (Sufficiency of Originality)

| The more Adaptive are likely to             | The more Innovative are likely to |
|---------------------------------------------|-----------------------------------|
| Produce fewer ideas                         | Produce many ideas                |
| Ideas are manageable, concrete              | Some seen as exciting             |
| Relevant, sound, safe and for immediate use | 'Blue sky' or 'New dawn'          |
| Expect high success rate                    | Tolerate high failure rate        |

### Methodology Style (Efficiency)

| The more Adaptive are likely to                     | The more Innovative are likely to                         |
|-----------------------------------------------------|-----------------------------------------------------------|
| Be precise, reliable, methodical, thorough          | Think tangentially                                        |
| Pay attention to detail                             | Approach tasks from unsuspected angles                    |
| Welcome change as an improver                       | Welcome change as a mold breaker                          |
| Seek solutions to problems in tried and tested ways | Manipulate the problem, questioning its basic assumptions |

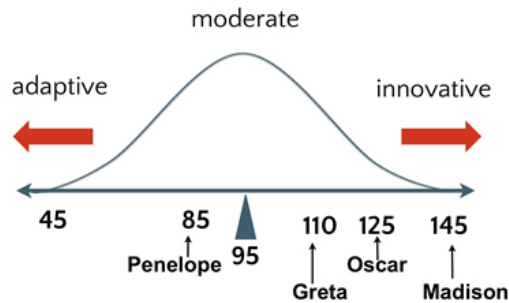
### Management of Structure Style (Rule and Group Conformity)

| The more Adaptive are likely to                                | The more Innovative are likely to             |
|----------------------------------------------------------------|-----------------------------------------------|
| Be prudent with authority                                      | Be radical                                    |
| Solve problems by use of rules                                 | Alter rules to solve problems                 |
| Challenge rules rarely and usually when supported by consensus | Challenge rules, customs and consensual views |

### How Can You Quantify Problem-Solving Style?

The KAI measures a person's preferred way of managing the paradox of structure and does so by putting creativity and problem-solving style on a continuum from more Adaptive to more Innovative, as shown below. This valuable aspect of the KAI quantifies gaps in cognitive diversity, providing a framework for understanding the corresponding implications and developing strategies for increasing success. Gaps can occur between two people, a person and a task, a person and a team, and between teams.

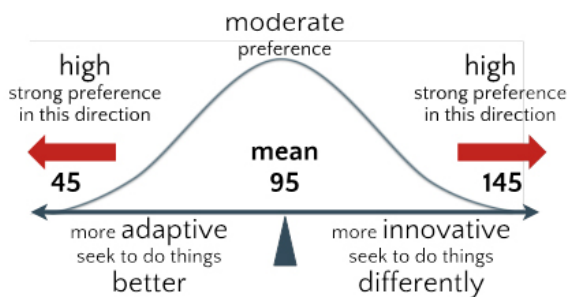
## The Adaption-Innovation Continuum



Scores are normally distributed between 45 to 145, with a mean of approximately 95 and a standard deviation of approximately 18 points. One's numeric score describes style, not level. Thus, a score of 130 is not better than a score of 60. Rather, the number merely identifies whether one is more Adaptive or more Innovative. In considering scores, remember that the scores are relative and not absolute (unless the person is at an end of the continuum). Thus, a person with a score of 80 is more innovative than a colleague with a score of 65 even though 80 is more Adaptive than the mean of 95.

Most people are in the midzone, with a style of 77 to 113, as reflected by the normal distribution above. They may use rules to solve certain problems and not others. Their solutions may ignore or, at times, change the rules to solve a particular problem. They may be more comfortable with less detail. That said, people are able to solve many types of problems and will use a nonpreferred style as appropriate.

In the example above, the problem-solving styles ranging from 85 to 145, as shown below:



Greta (110) is in midzone. Oscar (125) is more innovative than Greta and Penelope (85), but more adaptive than Madison (145). Greta is more innovative than Penelope and more adaptive than Oscar and Madison.

People who are close to each other on the continuum (i.e., within 10 points) will have a very similar problem-solving style and will tend to work well together. Oscar and Greta are only 15 points from each other so there are differences, but they are relatively easy to navigate, especially since they respect each other.



People who are more than 20 points from each other on the continuum will approach problem solving differently and

likely will experience challenges.

People with scores 40 points or more apart will approach problem solving in wildly different fashions and likely experience difficulty collaborating unless they devise strategies for dealing with the gap. The 35-point difference between Greta and Madison represents the real challenges they experience in working together.

Madison and Penelope are 60 points apart and they have the most difficulty working and communicating with each other. From Penelope's perspective, Madison really is from another planet and vice versa.

## Valuing Differences in Style

The challenge for this and any diverse group is not mistaking differences in style for level of creativity or problem solving. Remember:

Style is *how* a person solves problems.  
Level is *how well* a person solves problems.

Distinguishing style from level is critical because failure to do so can result in undervaluing others and their potential for solving the problem at hand. People often mistake differences in style for incompetence, i.e., that others are low level. Such mistake sounds something like:

"Penelope is in such a rut. In fact, I don't think she's ever even looked outside the box much less had an original idea."

or

"Madison is so impractical. I wish she'd stop wasting our time with her ridiculous ideas. We have work to do!"

Whether one is more likely to dismiss Penelope, who is more Adaptive, or Madison, who is more Innovative, depends on one's own style and on the failure to distinguish problem-solving style from lack of ability. Both Penelope and Madison are smart, capable, and creative. They think differently and bring different insights and approaches to a problem. Recognizing the differences as cognitive diversity is critical to transforming annoyance and contempt for one another into appreciation and the power to truly leverage another's style to effectively resolve a broader range of problems.

## Bridging and Coping

There are two ways to overcome the challenges presented by cognitive diversity: bridging and coping. Each is a strategy for overcoming the gap in problem-solving style so that people are able to work more effectively together. Bridging and coping are most necessary when KAI scores have a difference greater than 30 points.

Bridging refers to a person with an in-between score facilitating effective collaboration of others. When two people working together have KAI scores with a difference of greater than 20 points, a bridger is particularly useful. The goal is to translate between styles so that the team can accomplish its goals, leveraging each member's style.

Individuals often "cope," which means using a nonpreferred style to effectively deal with a gap between preferred style and another person's style, task, or group. While it is stressful to cope consistently over a long period of time, it is an extremely valuable strategy. We often cope instinctively to be effective in the face of problems that aren't the type we like to solve.

Back to the example; remember Penelope's disdain for lawyers? After years of working together, Greta has figured out how to work with Penelope so that neither of them is frustrated. Greta's coping strategy is to sort through all the details, making sure she can explain the idea and its implementation step-by-step. Over time, Penelope seems to have warmed up to her and respects her counsel.

For Penelope, Oscar and Madison are another matter. And Greta knows that leaving the three of them alone would be disastrous and counterproductive and she'd get blamed for hiring Medium Law. Penelope thinks that Oscar and Madison are the worst kind of lawyers; slick hucksters that have a lot of ideas without a lick of business judgment. While Penelope admits that they always come through for her, she doesn't like the process.

Greta's strategy? She acts as a bridge between the lawyers and Penelope, as Penelope's need for a structured approach is far greater than the lawyers' naturally deliver. Greta pushes Oscar, who seems to understand, and Madison to flesh out strategies along with pros and cons before talking to Penelope. Then, before they meet, Greta grills them with all the questions she thinks Penelope will ask. During the meeting with Penelope, Greta will jump in when necessary to translate between Penelope and the lawyers. In this way, she both helps the lawyers *cope* with Penelope and she *bridges* the gap so that they can have meaningful discussions.

Oscar senses the problem and wants to be sure that Medium Law doesn't lose the client or that Greta and Penelope push Madison off the team. He values Madison's insight and tangential way of thinking. Oscar pulls Madison aside and explains how she is perceived. Greta and Penelope, he says, want strategies to be more structured, detailed, and fully thought through. He further explains that they often mistake Madison's out-of-the-box emergent thinking style for sloppiness.

Oscar helps close the gap between the client and Madison by helping the latter make her ideas more concrete with detailed and sequential explanations so that Greta and Penelope can see the possibility for success without being distracted and concerned by the lack of detail. And Madison learns that when she introduces truly new thinking – something that she now sees can overwhelm others – she acknowledges that the ideas need to be fully vetted before being seriously considered. Oscar agrees to give Madison “the look” in meetings when she needs to be more concrete.

## Conclusion

Cognitive diversity is everywhere. While it's often mistaken for lack of ability, without the push and pull of cognitive diversity, teams can suffer from a lack of robust discussion about issues and consequently deliver mediocre results. When someone thinks differently or raises concerns you hadn't considered, don't dismiss them. Instead, pause and ask follow-up questions. This person is likely doing you a favor by pointing out issues in your blind spot – you know, the issues you tend to overlook. Isn't this better to spend a little time gaining understanding than run the risk of making a terrible mistake?

We recommend that everyone invest time in understanding his or her own style. Such understanding yields great insight into one's own personal effectiveness as well as how to more effectively collaborate with others, leveraging one's own and others' style for the best results. Appreciating and valuing the differences is vital to leading, collaborating, and personal effectiveness.

## About the Author



**Anne Collier** ([@annecollier1](#)) is a lawyer, professional certified coach, and the founder of **Arudia**, an executive coaching and training firm.

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# Help Them Amp Up Business Development with Style

by Anne Collier

*By helping lawyers understand that they can flex their own styles, you help them understand that whether they are able to woo a client is not just happenstance.*

Has this ever happened to you: You're talking with someone and it feels like you're from a different planet? Or perhaps it's the other person who is from Neptune. Here's what happens: you raise concerns, you provide options, you are ready to engage in a productive dialogue to identify the best strategy, and this other person dismisses your ideas as if you are from another reality — Neptune that is. You've just experienced *cognitive diversity*. It's not just that you have a different perspective — you and this other person truly do think differently.

Now imagine that you're the director of professional development and you're trying to help lawyers at your firm develop business. You sense their frustrations, understand their challenges of fitting business development in when they have time, and worry that if they don't see success soon they will be completely disheartened. Business development is not magic. While you know there aren't cookie-cutter solutions, you also recognize that an understanding of cognitive diversity would help just about every lawyer increase personal effectiveness, which would lead to business development.

Your challenge is to help three newly minted partners amp up their business development efforts and results. Meet Amanda, Michelle, and Isabelle.

- *Amanda* is a tax lawyer with a specialty in tax accounting and public utilities. While she is a rising star, she complains that she doesn't know what she's supposed to do to develop business. Not only that, but she often turns off or confuses prospective clients with her intense focus and solemnity about her work.

- *Michelle* represents employers in dealing with executive compensation issues such as non-competes, trade secrets, contracts, and the like. She's involved in many organizations and is known in the community but thinks she could more effectively leverage her many contacts.
- *Isabelle* is a litigator who focuses on criminal and civil defense and regulatory advocacy, including challenges to administrative rulemaking. She is passionate about her work — about everything actually — but is known to overwhelm others with her enthusiasm. This seems to cost her opportunities with prospective clients who often look at her like she's got two heads.

Successful business development is a numbers game. It requires a lawyer to have “eyes on,” credibility, and connection. “Eyes on” means that the lawyer gets in front of enough prospective clients — the right people. Credibility means that prospective clients believe the lawyer is an expert and can get results. Finally, the lawyer must be able to connect with a prospective client. In other words, to be truly successful in developing business, a lawyer must be able to flex his or her style to connect with prospective clients of different styles.

Now that you've got a sense of your challenges and charges, let's explore cognitive diversity through the lens of Adaption-Innovation Theory (“A-I Theory”) and the Kirton Adaption-Innovation Inventory (“KAI”), which measures problem-solving style on what's called the Adaption-Innovation Continuum. The goal is for you to use the A-I framework to coach and help the lawyers you work with be more effective.



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The **Adaption-Innovation Theory** (“A-I Theory”) devised by Michael Kirton is founded on the assumption that all people have the capacity for creative problem solving but that people are different in their cognitive styles of problem solving — and that these style differences lie on a normally distributed continuum. On one end of the continuum are those with an **adaptive** style who prefer their problems to be associated with more structure. On the other end are those with an **innovative** style who are comfortable solving problems with less structure. According to A-I theory, different styles of creativity produce different patterns of behavior, but all styles are absolutely essential to dealing successfully with the wide range of problems faced by individuals and groups over time.

Kirton developed a highly crafted, scientific instrument called the **Kirton Adaption-Innovation Inventory** (“KAI”) to measure cognitive style. The KAI, which requires respondents to rate themselves against 32 personality traits, not only offers individuals insights into their own cognitive styles but also enables them to collaborate more effectively with others through a better understanding of cognitive diversity. See [www.kaicenter.com](http://www.kaicenter.com) for additional information.

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## Cognitive Diversity: The Good, the Bad, and the Challenge

Clients typically hire lawyers for skill sets and creative thinking that the clients don’t possess in their departments; in other words, clients hire lawyers for their cognitive diversity. That’s the good. However, the very differences in hard wiring that make the lawyer attractive, can make it difficult for the lawyer and client to personally connect. That’s the bad. Here’s the challenge: How does a lawyer woo and not turn off the very person who needs the lawyer’s services?

The answer is self-awareness. Well, self-awareness and the ability to listen. Increasing awareness and understanding of the

implications of one’s own style is a necessary step in developing strategies for deliberately using another style — flexing — to more effectively connect with prospective clients. And, understanding one’s own style — including the implicit strengths and blind spots — will allow a lawyer to better devise strategies for getting “eyes on” and developing credibility.

*Increasing awareness and understanding of the implications of one’s own style is a necessary step in developing strategies for deliberately using another style...*

A final point before digging into cognitive diversity: a lawyer doesn’t need to know another person’s style to be more effective. As long as the lawyer knows his or her own style, the lawyer will be able to listen, make educated guesses, and flex his or her style for more effective and successful interactions. Now let’s explore A-I Theory and the KAI’s theoretical underpinnings.

## The Paradox of Structure

At the core of problem solving is creativity, and all people are creative. All people use their creativity to solve problems that arise from an ever-changing environment. All people, however, do not similarly deal with a critical facet of problem solving: the paradox of structure. The paradox of structure is the seemingly incongruous fact that structure both enables and limits one’s ability to solve a problem. The structure, whether it be in the form of rules, norms, or the “way it’s always been done,” enables problem solving by providing the mechanism or rules by which to solve a problem. The structure, however, also limits one’s ability to solve a problem by eliminating options and delineating strategies as not viable because they are outside the paradigm or break the rules.

People have a fixed preference for dealing with the paradox of structure. Some — like Amanda — prefer to use the structure to solve problems and more easily tolerate the structure’s limitations because the structure provides a ready and workable

means to the solution. This is called Adaption.

Others, like Isabelle, prefer to ignore or fail to notice structure when problem solving. That group is generally more focused on flexibility and efficiency and is less attached to the system currently in place. This is called Innovation. Isabelle doesn't let rules or norms get in the way of a good solution, and this style of problem solving annoys those, like Amanda, who view the rules as an essential problem-solving tool.

Most people fall in the midzone as Michelle does. They create and leverage structure to varying degrees depending on the problem at hand. They tend to do well in organizations of varying cultures because they are able to build relationships with a wide range of people, flexing at times, but not as far or as often as the more Adaptive and more Innovative. Because any particular person in the midzone can be more Adaptive than some and more Innovative than others, some will view the person as more Adaptive while others will view the very same person as more Innovative.

A key aspect of A-I Theory and the KAI is that people do not fall into one of two or three distinct styles. Rather, KAI scores are spread across a spectrum. This means that unless a person falls at one end of the spectrum, which is rare, the question is relative: is the other person more Adaptive or more Innovative than oneself? Once one has listened and made an educated guess about the other person, one can flex his or her style accordingly.

## The Elements of Problem-Solving Style: Adaption and Innovation Further Defined

The table entitled "Summary of Problem-Solving Styles" briefly summarizes the more Adaptive and more Innovative styles. Remember, it's all relative.

Let's take a deeper dive into the three elements of what it means to be more Adaptive and more Innovative so that you understand how you can help your lawyers be more effective in the face of such cognitive diversity. The three subscales are suffi-

ciency of originality, efficiency, and rule and group conformity. Sufficiency of originality describes idea-generation style — the degree to which a person is free or cautious when brainstorming. Efficiency describes the degree to which one prefers methodology, structure, and process as the person implements ideas and solutions. Rule and group conformity describes the degree to which we feel the need to comply with rules and group norms. The tables summarizing idea generation, methodology, and management of structure styles provide an overview of each component in the context of more Adaptive and more Innovative styles.

**Table 1: Summary of Problem-Solving Styles**

| More Adaptive Style                          | More Innovative Style                     |
|----------------------------------------------|-------------------------------------------|
| Prefer more structure                        | Prefer less structure                     |
| Sensitive to norms/<br>people's expectations | Prepared to ruffle groups                 |
| Target ideas                                 | Proliferate ideas                         |
| Master details                               | Less constrained by<br>how it's been done |
| Consistent                                   | Challenge assumptions                     |
| More prudent risk takers                     | More daring risk takers                   |

**Table 2: Idea Generation Style (Sufficiency of Originality)**

| The more Adaptive are likely to —                                   | The more Innovative are likely to —    |
|---------------------------------------------------------------------|----------------------------------------|
| Produce fewer ideas                                                 | Produce many ideas                     |
| Have ideas that are manageable, concrete                            | Produce some ideas seen as exciting    |
| Produce ideas that are relevant, sound, safe, and for immediate use | Produce "Blue sky" or "New dawn" ideas |
| Expect high success rate                                            | Tolerate high failure rate             |

**Table 3: Methodology Style (Efficiency)**

| The more Adaptive are likely to —                   | The more Innovative are likely to —                       |
|-----------------------------------------------------|-----------------------------------------------------------|
| Be precise, reliable, methodical, thorough          | Think tangentially                                        |
| Pay attention to detail                             | Approach tasks from unsuspected angles                    |
| Welcome change as an improver                       | Welcome change as a mold breaker                          |
| Seek solutions to problems in tried and tested ways | Manipulate the problem, questioning its basic assumptions |

**Table 4: Management of Structure Style (Rule and Group Conformity)**

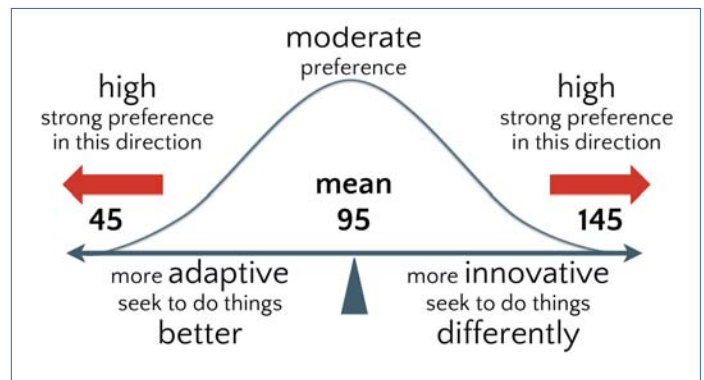
| The more Adaptive are likely to —                              | The more Innovative are likely to —            |
|----------------------------------------------------------------|------------------------------------------------|
| Be prudent with authority                                      | Be radical                                     |
| Solve problems by use of rules                                 | Alter rules to solve problems                  |
| Challenge rules rarely and usually when supported by consensus | Challenge rules, customs, and consensual views |

## How Can You Quantify Problem-Solving Style?

The KAI measures a person's preferred way of managing the paradox of structure and does so by putting creativity and problem-solving style on a continuum from more Adaptive to more Innovative, as shown in the chart entitled "The Adaption-Innovation Continuum." This aspect of the KAI quantifies gaps in cognitive diversity, providing a framework for understanding the corresponding implications and developing strategies for increasing success. Gaps can occur between two people, a person and a task, a person and a team, and between teams.

KAI scores are normally distributed between 45 and 145, with a mean of approximately 95 and a standard deviation of approximately 18 points. One's numeric score describes style, not

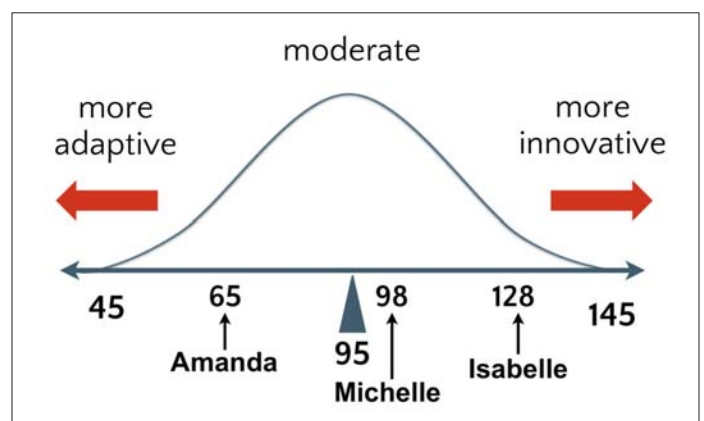
**Figure 1: The Adaption-Innovation Continuum**



level — that is, one's score doesn't say anything about whether one is competent. Thus, a score of 130 is not better than a score of 60. Rather, the number merely identifies whether one is more Adaptive or more Innovative. In considering scores, remember that the scores are relative and not absolute (unless the person is at an end of the continuum). Thus, a person with a score of 80 is more Innovative than a person with a score of 65 even though 80 is more Adaptive than the mean of 95.

Most people are in the midzone, with a style of 77 to 113, as reflected by the normal distribution shown in the chart entitled "The Adaption-Innovation Continuum." They may use rules to solve certain problems and not others. Their solutions may ignore or, at times, change the rules to solve a particular problem. They may be more comfortable with less detail. That said, all

**Figure 2: Scores for Amanda, Michelle, and Isabelle**



people are able to solve many types of problems and will use a non-preferred style as appropriate.

Your charges, Amanda, Michelle, and Isabelle, range the continuum, as shown in the chart depicting their scores.

With a score of 65, Amanda is more Adaptive than her colleagues and most people. With a score of 98, Michelle is in the midzone, so her style is similar to more people. And finally, with a score of 128, Isabelle is more Innovative than her colleagues and most people. Remember, it's all relative. Thus, Michelle is more Innovative than Amanda and more Adaptive than Isabelle. Differences in scores — and the sizes of such differences — affect interactions and the ease with which these three women connect with prospective clients.

**10-Point Difference.** People who are close to each other on the continuum (i.e., within 10 points) will have a very similar problem-solving style and will tend to work well together. Building the relationships necessary for developing business with someone within 10 points of one's own score is relatively easy because the relationship comes easily.

**20-Point Difference.** People who are more than 20 points from each other on the continuum will approach problem solving differently and likely will experience challenges. If they appreciate and respect each other, such differences are helpful, not hurtful, to the relationship and work at hand. Building a relationship with such a person can, but doesn't have to be, challenging. The lawyer will likely have to pay particular attention to what is important to the prospective client and flex her style accordingly.

**40-Point Difference.** People with scores 40 points or more apart will approach problem solving in wildly different fashions and likely experience some difficulty building a relationship unless one or both devise strategies for dealing with the difference. When a lawyer notices that the prospective client is very different from herself, she will have to pay close attention

to what is important to the prospective client and flex her style accordingly.

The reason it matters whether someone is more Adaptive or more Innovative and by how much is because such a difference affects not only the ability to connect, but one's credibility.

Remember:

- Style is *how* a person solves problems.
- Level is *how well* a person solves problems.

People — prospective clients in this case — may mistake differences in style for incompetence; that is, they may make the mistake of thinking that others with styles different than their own (perhaps Amanda, Michelle, or Isabelle in this case) are low level. Such a mistake sounds something like:

- “Amanda is in such a rut. In fact, I don't think she's ever even looked outside the box much less had an original idea”; or
- “Isabelle is so impractical. I wish she'd stop wasting our time with her ridiculous ideas. We have work to do!”

Whether one is more likely to dismiss Amanda, who is more Adaptive, or Isabelle, who is more Innovative, depends on one's own style and on the failure to distinguish problem-solving style from lack of ability. Be careful: while Michelle is more likely to connect naturally with more people because she's in the midzone, she will experience some of the same challenges that both Amanda and Isabelle face. In other words, she'll need to use a more Adaptive or more Innovative approach, depending on the prospective client's style.

## So, Now What? How Can A-I Theory Help Amanda, Michelle, and Isabelle Build Business?

### Help Them Have More Productive Interactions

Let's step away from theory and get back to helping your

lawyers. Remember Amanda? She's a tax lawyer specializing in tax accounting and public utilities. She complains that she doesn't know what she's supposed to do to develop business. Simply put: Amanda needs a plan. People who are more Adaptive like Amanda want structure, process, and methodology in solving any problem. The problem here is business development. Since she's just now putting her toe in the business-development pool, she probably has a number of questions about "the right way" to develop business. A focus on "the right way" to develop business can result in paralysis by analysis. This is because her style is to figure out the answer, including all of the implementation details, before taking actions. The upside is that once Amanda understands the business-development process and has a structure for success, she'll likely follow through methodically and consistently, without letting any opportunity fall through the cracks.

So how do you help Amanda? First, support her development of a plan by asking her the following questions:

- How have others in your specialty developed business?
- Who do you already know who could hire you, refer business to you, or give you a speaking opportunity?
- What are the conferences and meetings that your prospective clients attend?
- Where can you speak on your topic, turn it into an article or client alert, and maybe even present a webinar?
- If you couldn't fail, what would you do?

Now, you are going to have to support Amanda in developing relationships — in connecting with others. Amanda is pretty serious and often turns off or confuses prospective clients with her intense focus on her work. All is not lost — don't worry! Amanda's strength is leveraging structure; so use A-I Theory to help her understand others' behaviors and what they need from conversations. Help her to prepare for networking events. The structure of a typical networking event conversation is to engage in small talk, have a more substantive conversation, exchange cards, talk about getting lunch or coffee together, and then part. You know only too well that Amanda can talk

about her substantive area; she would be more effective if she prepared for small talk by:

- Having her own "news story" so that when someone she knows asks "how's it going?" she will have something interesting to say about a case she won, an article she's publishing, or even something personal.
- Being ready to discuss a few noncontroversial current events.
- Preparing her own personal brand statement so she can answer the question "what do you do?" with something a little more interesting than "I'm a public utility tax lawyer."

Because Amanda's KAI score is almost at the Adaption end of the A-I Continuum, she will undoubtedly have to flex, sometimes quite a bit, to a more Innovative style. Remind her that:

- Others are more likely to suggest seemingly wild ideas — don't analyze every idea or take them all seriously. People who are more Innovative are more likely to throw a lot against the wall and see what sticks. They like to brainstorm just for fun.
- Others are likely not to think quite as linearly and with as much structure as she does. Don't push for structure; listen, ask good questions, but don't be laser-like in your questions. This is about connecting first, problem solving second.
- Others may be more irreverent than she is. Tell her not to let it put her off — it's just a different style and doesn't mean that they don't like or value her. People who are more Innovative enjoy ruffling feathers a bit.

Now let's focus on helping Michelle. Michelle is right in the middle of the continuum. The good news is that she is hardwired to relate to a greater segment of the population than either Amanda or Isabelle. The bad news is that she needs to be prepared to flex both ways — to people with both more

Adaptive and more Innovative styles. She'll have to listen closely to prospective clients and meet their needs for structure — or not — in both the process and substance of the conversation. The good news is that she's probably been successfully doing this most of her life.

Michelle is also likely to be more of a risk taker than Amanda and more able to create her own structure or process than Isabelle. Thus, with a little guidance and support, Michelle will likely get in a groove and keep going, creating structure and process as she needs it and jumping in when she has to. Your advice to Michelle could include:

- If you hear a prospective client ask questions about process, about principles, or about theory, he or she is likely more Adaptive. Be sure you answer all of the person's questions. Don't give short shrift to details.
- If you hear a prospective client brainstorming outlandishly and "thinking outside the box," skip over some (but not all) of the rules and details; the person is likely more Innovative. Don't panic! This is how the more Innovative sound, and no, they do not expect you to buy into or implement every idea they've had. Be willing to play along. Offer solid opinions, but don't be a buzz kill.

And finally, Isabelle could also use your guidance to help develop her practice. Isabelle is a litigator who focuses on regulatory advocacy, including challenges to administrative rulemaking. Her passion is one of the reasons she's such a great lawyer. The downside is that her passion is also the reason she overwhelms others, which is a serious problem since she's trying to build her practice.

So what do you do to help Isabelle? First, help her understand why others often look at her like she's got two heads. You know she already understands that she isn't like her partners, so it won't be too hard to flesh that out. Once she understands that her passion and her style of enthusiastically brainstorming about almost everything isn't always well received, she'll

understand why and when to dial it back. Remind her to listen and to use her spider senses.

Unlike Amanda, Isabelle gets a lot of "eyes on." She goes to just about every relevant conference — and some not so relevant ones — usually as a presenter. Help her understand that in addition to "dialing it back," she also needs to "amp up" her listening. In particular, she needs to listen for the kinds of questions prospective clients ask. If their questions and comments demonstrate a desire for more structure and concrete understanding of what she does, Isabelle will want to —

- present information by first giving an overview,
- talk about process,
- explain sequentially, and
- give examples.

She's much more likely to connect with those who are more Adaptive in this manner. It also wouldn't hurt Isabelle to, like Amanda, prepare her own personal news story and personal brand.

## Help Them Follow Up

Don't forget about follow-up. Each lawyer is going to have strengths and challenges in following up. Amanda will likely excel at and enjoy establishing a system for herself. Assure her that she's doing it "right."

*Each lawyer is going to have strengths and challenges in following up.*

Michelle is pretty good at following up. She's not overly concerned about doing it the right way or hamstrung by fears of being considered a stalker. She is good at creating reminder systems for herself, but sometimes ignores or forgets to follow them.

Isabelle is most challenged by follow-up — or, more accurately, lack of follow-up. While she meets just about everybody at



an event, she rarely has much to show for it. Because process doesn't come naturally, her style benefits the most from imposing a little process — not a lot, but a little. Remember, Isabelle is less likely to do anything that is overly process oriented — her style is to just dive in.

Each lawyer could benefit from this advice on how to follow up:

- Ask for business cards and, on each card write the name and date of the event and note what you've discussed;
- Suggest and preferably schedule the next meeting or set the expectation that you will initiate scheduling via email;
- Keep track of who you've met and when it is appropriate to follow up via a lunch, a telephone call, or sending the prospect a useful article or information; and
- Always do what you say you are going to do.

## Conclusion

Cognitive diversity is everywhere. By helping lawyers understand that they can flex their style to deal with such cognitive diversity, you help them understand that whether they are able to woo a client is not just happenstance. And, they can adjust their style to connect and bolster credibility. You can give them confidence that yes, they can and will build business.

The bonus? Helping a lawyer understand his or her own style will help the lawyer to be more personally effective, which leads to better collaboration, client service, and leadership. This is because in addition to “flexing,” learning about problem-solving style helps people appreciate the cognitive diversity in others. Thus, rather than dismissing another as being too “out there” or “in a deep rut,” the lawyer can appreciate and harness the differences to solve a greater range of problems.

*To find out more, including where you are on the Adaption-Innovation Continuum, please contact me at the email address included in my bio.*

## About the Author



Anne Collier, MPP, JD, PCC, is a catalyst for executives and lawyers stepping into power. She supports clients in creating a fulfilling professional and personal life and gives her clients a competitive edge that gets them to their goals quicker and with more ease. Her areas of expertise include leadership, business development, personal branding and messaging, and personal effectiveness. She can be contacted at [anne@arudia.com](mailto:anne@arudia.com).

# Culture Matters

**Recognizing  
the good,  
the bad  
and the  
ill-fitting.**

**By Anne Collier**

*Individuals play the game, but teams beat the odds. —Navy SEAL saying*

**H**ow do you define firm culture? When lawyers say, “this is the way we do it,” they’re often unknowingly describing their firm’s culture. But it’s not just about how a firm approves business development expenditures or whether it is boisterous or reserved. Culture is about how people work together—it’s about teamwork. Analyzing a firm in terms of what it takes to create “effective teamwork” does more than label its culture good or bad; it assesses how a firm’s culture works and, more important, whether the firm is a fit for you. “Effective teamwork” is brought about by the five-step iterative process of transforming a group into a team that achieves great results.

Why is culture important, you ask? A firm’s culture is important because it determines what you will need to succeed. If you can’t work effectively with your colleagues, or if they don’t respect your ability to solve problems, you will languish and have an even more difficult time finding your next position.

Consider this: Lawyers collaborate to more effectively solve a broad range of client problems. Let’s call these types of problems Problem A. Now consider this: Most of us recognize that we work better with some people than others. It doesn’t have anything to do with liking or disliking a person, it’s that differences in problem-solving style can cause the kind of strife that derails collaborations. This strife is what we refer to as Problem B. Lawyers who have figured out how to

minimize interpersonal strife—Problem B—use diversity to foster better problem-solving of a broader range of Problem As, that is, client problems. Their firms are more likely to provide excellent client services and be better places to work for a broader range of people.

Answering two questions will give you insight to determine fit:

1. Do a firm’s lawyers collaborate effectively?
2. If so, is my problem-solving style similar to the firm’s dominant problem-solving style? That is, do I fit in seamlessly or does the firm value and appreciate lawyers with diverse problem-solving styles like mine?

If you can answer yes to both questions, the firm will likely be a good fit.





The text below sets forth the Five Steps to Create Effective Teamwork—that is, a good culture—and applies the Effective Teamwork Model to both a job seeker and a merger.

#### STEP 1 Build Trust

*Coming together is a beginning;  
keeping together is progress;  
working together is success.*  
—Henry Ford

Building trust is the first step in creating effective teamwork and an important determinant of culture. A culture in which trust exists between colleagues, the firm and its processes saves everyone time because colleagues who trust each other:

- Don't hide mistakes.

- Get right to the point.
- Develop collaboration norms so they don't have to renegotiate with each new interaction.
- Are not defensive because they don't fear others' intentions.

Having trust means that people can rely on each other for support and to resolve client, career and firm challenges. To trust a colleague, you need to believe that the person is reliable, competent, benevolent and caring, open, and has integrity.

Building a culture in which colleagues trust each other takes time. Working, traveling, lunches and firm retreats build trust. Success depends on the lawyers of the firm making a periodic investment in relationships. While much of this happens as a natural consequence of working together,

it also requires deliberate maintenance, especially when a challenge to trust occurs. In an effective teamwork culture, colleagues are willing to address misunderstandings in a solution-focused manner rather than blame-focused manner.

#### STEP 2 Harness Diversity

*When two people in business  
always agree, one of them is  
unnecessary.*  
—William Wrigley, Jr.

In those cultures in which unique thinking is viewed as an asset, lawyers appreciate colleagues who think differently. Thus diversity is not just about race, gender or generation. It's about different ways of thinking, working and problem-solving.

It's about cognitive diversity. Remember, most problems are multifaceted and complex and consequently require lawyers with different problem-solving styles and perspectives. This is achieved by taking the time to listen to one another, ask questions, probe and push back, all so that the team can find the best possible answer. Divergent opinions cause colleagues to consider what they might be missing.

The challenge of any diverse group is not mistaking differences in style for a low level of ability, creativity or problem-solving. Problem-solving style is *how* a person solves problems. Level is *how well* a person solves problems.

What makes this possible, sustainable and valuable is trust. When lawyers know that the debate is about the issue and not posturing for personal gain, the focus is truly on the issue. Remember, passionate debate is necessary to the firm's and even individual lawyers' success because it produces the best solution in the shortest period of time.

#### **STEP 3 Achieve Commitment**

If team members don't weigh in, they don't buy in.

Effective teamwork requires the ability to commit to choices. Whether and how a firm's lawyers work together to achieve commitment determines culture. If colleagues are able to truly harness diversity through unfiltered debate about the issues, they will commit to decisions even when those decisions are in opposition to their own views. Cultures in which all opinions and ideas are put on the table and considered can achieve buy-in. While consensus is not required, a willingness to commit to a decision is. So ask, 'Is the firm's culture one in which everyone weighs in and their opinions are valued?'

#### **STEP 4 Embrace Accountability**

Accountability means that team members are themselves inspired to do their best work and to support others in doing their best work at all times.

Accountability is a tool for achieving goals, a necessary element of effective teamwork, and determines culture. Effective teamwork requires a culture in which accountability is supportive; it identifies what worked, what didn't and what is needed for success. Fear of punishment doesn't create accountability. Accountability occurs directly among team members and requires the team's leader to confront difficult issues in a supportive manner.

## **Diversity is not just about race, gender or generation. It's about different ways of thinking, working and problem-solving.**

#### **STEP 5 Focus on Goals**

Team members must compete with each other, not against each other.

What distinguishes a great firm from lawyers sharing office space and expenses is the shared risks and rewards for the results achieved for clients. This shared consequence fosters a sense of urgency to create effective teamwork and determines culture. This creates the incentive for subjugating personal goals and ambitions to firm goals and serving clients. The reason this works for the individual lawyers is because individual lawyers can only succeed when the firm succeeds. In

other words, there cannot be individual success when the firm fails, especially if the lack of teamwork contributes to the failure.

The following examples demonstrate how the effective teamwork analysis can be applied to both a job seeker and a merger to determine fit.

#### **FINDING THE RIGHT FIT: THE JOB SEARCH**

Meet Kelly. Right out of law school, Kelly joined the Justice Department, Civil Litigation Division and is now looking for a private sector job. Kelly has friends who love their work and friends who don't. Kelly wants to be sure to find the right fit in a firm. After talking with colleagues and reading about firm cultures, Kelly applies the Five Steps to Create Effective

Teamwork to determine whether D.C.-based Medium Law is a good fit.

During interviews at the firm, Kelly pays particular attention to whether the lawyers at Medium Law seem on edge—not just engaged and focused on the seemingly never-ending demand of the work, but on edge. Do they seem fulfilled by their work? Kelly also asks how colleagues work together. How do lawyers from the firm's multiple offices collaborate? What are examples of cross-selling and working with other groups within the firm that have been successful? How often are the firm's retreats and team meetings? Kelly even attends a weekly Litigation Group lunch, looking for signs of effective teamwork. Kelly notices that

## 5 STEPS TO CREATE EFFECTIVE TEAMWORK



the lawyers good-naturedly rib each other and engage in a robust discussion on a split in the circuits. Kelly also notices that the more junior lawyers participate in the discussion and overhears lawyers scheduling time to talk about client work.

Based on these observations, Kelly concludes that the firm manifests the signs of a good culture. In other words, lawyers seem to trust each other and value each other's opinions.

Kelly is almost ready to accept the job. However, the question in Kelly's mind is, Do I fit with the firm's dominant culture? On the one hand, Kelly reasons, the Litigation Group members seem to care about each other and, importantly, value each others' opinions and perspectives. On the other hand, they are boisterous and perhaps overly outgoing in contrast to Kelly's somewhat reserved nature. Kelly also notices that the group's lawyers seem not to focus on details—they're a little cowboyish in their thinking. And yet Kelly likes the firm and doesn't want to forego a good opportunity because of a little cognitive diversity. Besides, Kelly reasons, they

seem to appreciate the differences.

Kelly asks to meet with a few of the firm's quieter lawyers and determines that they seem happy, fulfilled and successful. Determining that the firm is a fit, Kelly takes the job.

### CREATING A GOOD FIT: THE MERGER

Tracey and Chris are managing partners of their respective firms. They are considering a merger for all of the right business reasons. The firms each have good cultures but are very different. Tracey's firm—Tech Law Partners—is innovative and cutting edge. Chris' firm—Staid & True Partners—is traditional and risk-averse. Tracey and Chris are concerned

that their firms' wildly divergent cultures will derail an otherwise successful merger. They are concerned about Problem B. There are already rumblings at Tech that the lawyers at Staid are boring and a buzzkill. The lawyers at Staid are equally concerned that Tech lawyers are not just cutting edge, but over the edge.

Tracey and Chris are familiar with the Effective Teamwork Model. Committed to all the benefits of merging, they decide to apply the principles of the model to their merger. The first step is for the firms' lawyers to spend enough time with each other that they feel comfortable, that they are given the opportunity to build trust. They know that lunches and cocktail parties aren't enough though. They also know that as different as their partners are from each other, they all appreciate frameworks for analyzing issues. To better understand each other's culture, each firm defines its own culture and problem-solving style via the Effective Teamwork Model. They present to each other en masse, which not only fosters understanding, but also demonstrates that they have established a certain level of trust by the diversity of views expressed and a focus on how the differences in their respective firms can add to the value of service they provide to their clients. They conclude by listing the steps each lawyer is willing to take to make that goal a reality.

In summary, culture is critical to individual and firm success. Those who ignore its implications do so at their peril. **LP**



**Anne Collier** is a principal at Arudia where she coaches and develops leaders. For more information about cognitive diversity and problem-solving style, see her articles "Style Matters: How Cognitive Diversity Affects Your Work" and "Help Them Amp Up Business Development with Style." [anne@arudia.com](mailto:anne@arudia.com)