

Lawyers as Leaders 2.0

Oregon State Bar
Corporation Counsel Section
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Qualities of Effective Leadership (Rhode)

- **Values** (integrity, honesty, trust, service ethic)
- **Personal skills** (self-awareness, self-control and self-direction)
- **Interpersonal skills** (social awareness, empathy, persuasion and conflict management)
- **Vision** (forward-looking, inspirational) and
- **Technical competence** (knowledge, preparation, judgement).

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Lawyers as Leaders

More than any other profession, lawyers find themselves in leadership positions: on executive teams, elected officials, government appointees, judges, presidents, general counsels, and managing partners and they regularly lead teams, committees, task forces, boards, and non-profits.

Alexis de Tocqueville called lawyers, “the American aristocracy” because of the unique position they held in American society.

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The Paradox

- The qualities that make lawyers successful as lawyers are not always the qualities that make them successful leaders:
 - Lawyers tend to score more highly than the average population in traits such as skepticism, competitiveness, “urgency”, autonomy and achievement orientation (Rhode, at 5; Richard, at 3).

For example, skepticism is a trait which is important for lawyers in adversarial situations (e.g., trial lawyers, M&A). However, personality traits cannot be turned on and off. Therefore, the skeptical trial lawyer will be skeptical with partners, colleagues, in mentoring relationships, etc.

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The Paradox, continued

- Urgency is the desire to get things done or a sense of immediacy; this can lead to impatience, poor listening, brusqueness. The same sense of efficiency that helps an attorney move matters along does not always work in interpersonal relationships.
- Sociability is the ability to connect with other people. In Richards' study, lawyers scored around 13% for sociability, as compared to 50% scores in the general population. Low sociability can predict barriers to team work, mentoring and retention of support staff.

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The Paradox, continued

- Resilience or ego strength is the ability to recognize and repair with others, admit fault, accept constructive feedback. In Richards' study, lawyers tended to score low on resilience, which can indicate defensiveness, hypersensitivity to criticism and resistance to feedback.
- Autonomy is the desire for independence; in Richards' study, lawyers scored in the 89th percentile for autonomy, suggesting lawyers might be less open to being managed or being told what to do.
- Interestingly, rainmakers in law firms tended to score differently on these traits, showing higher sociability, more resilience and higher empathy (Richards, Siedel).

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“Lawyers are taught to advocate, to persuade, to analyze, to parse, to spot issues, even to convince others that they are right. These skills, while admirable, do not always align with good leadership; in fact, if not balanced with emotional intelligence, self-awareness, and social awareness, these skills can defy good leadership” (Barton at 117).

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Why is leadership important?

- Lawyers make decisions every day that affect others:
 - Elected officials impact citizens, policy
 - Lawyers in business impact people, business relationships, corporate policy

Flint, Michigan: Case study (Thompson)

- Lawyers advised the water company
- Lawyers advised Michigan’s Department of Environmental Quality
- Lawyers advised the politicians who prioritized budget over water safety at all levels of state government
- Michigan’s Governor, Rick Snyder, was a lawyer by training

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Other reasons leadership is important

- Retention of staff
- Conflict management
- Working effectively with clients and colleagues

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Discussion questions

1. As lawyers, we often are called upon to be effective people and project managers and lead within a firm or organization. To frame the conversation, can you each discuss the different hats you wear in your organization (e.g., compliance, corporate agent, officer, manage the in-house legal team, etc.)?
2. What is your biggest leadership issue right now?

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Discussion questions, continued

3. Can you please describe your leadership style, and the key leadership qualities you think corporate counsel need the most?
4. Following on the prior question, does your leadership style change when you are working with the business team, outside counsel, or external stakeholders? If so, how?

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Discussion questions, continued

5. Effective communication is an important part of an in-house lawyer's job. What strategies do you use to communicate with your internal clients? What do you believe is the connection between leadership and communication?

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Discussion questions, continued

6. In-house lawyers need to be deliberative and usually are cautious by nature. But business moves quickly and demands immediate answers.
 - a. How do you find the right balance between giving your team the time it needs while meeting your internal clients' needs?
 - b. How does VUCA (volatility, uncertainty, complexity, and ambiguity) impact the way legal counsel interacts within your organization and with external stakeholders?
 - c. As you work with different internal and external stakeholders, how do you communicate about privilege issues?

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Discussion questions, continued

7. What are some strategies for overcoming resistance to legal's advice or even involving legal in the first place?
8. How can developing leadership skills help us become more effective problem solvers, innovators, and change managers in our organization, firm, or community?

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Education and skill development

- Richards found that helping lawyers understand their personality traits and how they can create barriers cleared the way for the lawyers to understand and begin to work on the barriers.
- Rhode noted that lawyers lacking in soft skills tend to devalue their importance rather than address their absence, but Richards found that educating lawyers about

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Education and skill development

- Self-awareness, interpersonal skills, connection with others (Madison, at 762).
- Seeking and implementing feedback, listening to others (Stein, at 1844).
- Skills necessary to succeed include basic competencies such as listening attentively, common sense, trustworthiness (Gerkman et al).

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Key qualities to develop in lawyers (Polden, at 457)

- Emotional intelligence (self-awareness, self-regulation, motivation, empathy and social skills)
- Adaptability
- Building and mending relationships
- Building effective teams
- Change leadership
- Coaching
- Collaboration (working across boundaries effectively)
- Credibility
- Decisiveness
- Driving innovation
- Influence
- Leveraging differences

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How to become more self-aware?

Self-awareness is the foundation for emotional intelligence and self-regulation. How do you develop it?

- Meditate
- Write down your key plans and priorities
- Take psychometric tests (like the Myers-Briggs)
- Ask trusted friends
- Get regular feedback at work

<https://hbr.org/2015/02/5-ways-to-become-more-self-aware>

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Notes

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