

## COMMENTARY

# How You Think is Everything

by Jeffrey H. Newman

**Editor's Note:** Client presentations can make or break a firm when it comes to a marketing pitch to a prospective company, or in response to a request for a proposal (RFP). Law firms will go to great lengths to utilize the latest technology and data, and the right team to make the pitch. But while every *i* may be properly dotted and every *t* correctly crossed, successful marketing can still come down to possessing the right attitude. The following chapter excerpts from the book *Hear with Your Heart*, by Jeffrey H. Newman, a senior partner and one of Sills Cummis & Gross's top rainmakers, address the key attributes that can give a law firm or solo practitioner the winning edge over the competition when it comes to leveraging a successful marketing pitch.

In Dr. Norman Vincent Peale's seminal work, *The Power of Positive Thinking*, or any of myriad subsequent works, in virtually every context the principle of "the way we think" is the fulcrum for improving ourselves, and thereby improving our lives. Yet, how do we actualize the concept of positive thinking, as opposed to just agreeing with it? How do we go beyond internalization; how do we actualize the power? How do we incorporate positivity (kindness and grace) into our everyday lives? It's easy to reflect on the concept of positive thinking and resolve to become better human beings. How do we use it to help us become more successful in every aspect of life, rather than just a better negotiator?

A policeman stops our car and opens the conversation with the usual, "Driver's license, insurance, and registration, please." How do we conduct ourselves in this situation? How do we maintain a positive mental attitude? How do we infuse ourselves, and the situations we face, with positive mental energy to help us become more successful as human beings?

It's easy. Visualize the other side (or yourself) saying yes instead of no. Think in terms of working to obtain a yes. Stop

saying, "I'll try," and start saying "I can" or "I will." Delete the words "I'll try" from your life. Those two words allow us to accept the expectation of failure. Make positivity your predominant thought. To paraphrase Henry David Thoreau, what we think is who we are. The more we think about something, the more likely it is that we will eventually verbalize it; and as we verbalize our thought processes, the more likely we will act upon the verbalization of what we were thinking. Mr. Thoreau surely believed we are truly what we think. Our thoughts become our acts and deeds—our thoughts are who we are.

We are what—and how—we think.

The little secret to achieve positive thinking is to do it by doing it. We use positive thinking by thinking positively. Visualize the goal. Shine a different light on it. Play new background music. Rewrite the script. Change clothes. If we think of our attitude as an outfit in our closet that we can wear or change at any given moment, we can think of our thought processes as reflecting who we are at any given moment. Our thoughts are what we are wearing.

Let's apply this lofty concept to two different situations. Let's take, for example, an interaction that is scheduled in advance versus one that is suddenly thrust upon us. In either instance, to be successful in the negotiation we need to think positively. We need to think in terms of solving the problem being presented in the most effective manner possible. To be an effective solver, we must disassociate ourselves from what I call our 'egotude' surrounding the situation. A scheduled negotiation gives us some preparation time. We know it's coming. Maybe it's with our adversary, colleague, or employer. On the other hand, when an interaction is thrust upon us, when we are confronted, we do not have the opportunity to prepare. For example, being stopped by a police officer for a traffic violation is a 'negotiation' thrust upon us, one in which many of us

will attempt to talk our way out of the ticket.

As we hear the siren and see the flashing lights quickly approaching from the rear, our egotude might try to convince us that we were not speeding. Perhaps, as we notice other speeding motorists not being stopped by the police officer, our egotude makes us feel we are being singled out. In such circumstances, our egotude blinds us from seeing the other side, the officer's perspective. Our egotude will prevent us from clearly thinking through the problem, thereby reducing our chance of finding a viable solution. So, let's take off the egotude and think this through.

When we do, our visions, our dreams, enable us to see beyond our next step. They enable us to take leaps in our lives, some small and some quantum. We just need to put aside our rational thought, to open our minds and believe in ourselves. Our visions will stimulate us if we let them. If we let them, they will create mental excitement that will permeate our mind and body. The electrons in our atoms will jump to a higher energy state and our mind will expand, race forward, energized by our positive thoughts. Our visions allow us, for example, to be transformed from a member of the audience to the speaker on the stage. To see ourselves with that promotion we seek. All we need to do is be the speaker, be the promotion. If we begin to live the promotion we want, others will notice the growth and attitude we are radiating. Eventually, we obtain the promotion with our current employer, or seek another avenue to reach our goal. Our visions, when acted upon, create the leaps in our lives. They are more powerful than our knowledge. They open the door, and merely ask us to walk through. As Albert Einstein said, "Imagination is more important than knowledge."

The same dynamics are at play in a negotiation—in any interaction. We can approach a negotiation with a variety of

biases. Biases create walls built by our egotude. For example, we may feel the other side is somehow 'lesser' than we are, has already indicated its inability or unwillingness to be reasonable, or has trespassed upon us with earlier perceived insults. Perhaps the other side demanded the meeting be at a particular place (their office), a particular hour (inconvenient), or that particular participants be present (ones we wish weren't going to be in attendance). If we treat these demands as trespasses and bruises to our ego, we become invested in those biases, and it becomes more difficult to listen to the other side. We lose the opportunity to gain their trust. Without their trust, it is more difficult to ask probing questions and hit pay dirt—strike oil.

How will we understand the other side's wants and needs, the predicates upon which to build a solution?

Our simple everyday thoughts can either be negative or positive. Which switch will you flick prior to your next interaction? What tone will you set? Will it be a tone of disdain, or one which facilitates a relationship leading to trust and understanding? Of course, there will be circumstances where an acceptable solution may not be available.

For example, the police officer who stopped us may be working a holiday shift due to lack of seniority; his holiday is spoiled. Perhaps he even quarreled with his wife because he couldn't attend the family's holiday picnic. Who knows what baggage the police officer may be carrying to your encounter? You sense the officer is in a bad mood, not to be reckoned with. However, by putting aside your biases and burying your egotude, if nothing else you ought to be able to contain the situation. In so doing, you will most likely enable the officer to issue the least painful ticket possible. On the other hand, if you become argumentative or flash your egotude, the officer will probably ticket you for the most

serious violation possible.

If you address the situation without ego, then you can allow yourself to accept that you were the one he caught, the one every other driver stares at as they speed by, grateful it wasn't them. It could have been another motorist, but instead it was you. Tough luck! Accept that reality. Instead of formulating your defense—which always reeks of attitude—accept the reality and you will most likely give off an aroma of respect, the recognition that the officer is simply doing his job. It may not help (although it usually will), but it surely won't hurt. You will have opened the door for the officer to respond in kind with a summons for a lesser offense.

Likewise, as we approach a scheduled negotiation with individuals with whom we have not been able to establish a rapport, we have two choices. On one hand, we can think positively and endeavor to build a bridge regardless of the reasons for the lack thereof so far. Ironically, the very act of positive thinking puts us in a position to overcome the negativities, even if we really don't know why they exist. On the other hand, once we allow our biases and egotude to overcome us, we find ourselves short-circuiting our ability to create a rapport.

Are you approaching each encounter with a positive attitude, or are you approaching too many encounters with bias and egotude? If the latter, it will imprison you in your own thoughts, and prevent you from seeing the other side's position. It will prevent you from working to find a solution.

When we think positively, we emit a positive vibration. When we think in terms of how we can help to solve the problem—whether it's a colleague who seeks our advice, or tension that developed by virtue of an unpleasant encounter between us and another—we find ourselves automatically exuding positive vibrations, vibrations of good-

ness and kindness bubbling up from our self-replenishing reservoir of grace. By thinking positively, as a problem-solver, we begin to see issues and problems in ways that will tempt us to find solutions.

Positive thinking can be exhibited by sincerity. Imagine this situation. Your initial encounter with an adversary was strained and chilly. You walk into the meeting and:

- sit down on your side of the table. You do not make eye contact, or
- you say, “You know, I think we got started on the wrong foot. Maybe, it was my fault because you caught me at a difficult moment during our first telephone conversation.”

Which opening gambit do you think will move the meeting in a positive direction? Which response are you more likely to receive:

- an icy glare, or
- “Let’s put our differences behind us and find a way to bridge them. I certainly want to.”

Positive thinking allows us to recognize there may be many ways to be right. Often, to reach resolution, a compromise between several rights may be necessary. Once we become a positive thinker, our thought processes grow, and instead of over-analyzing each issue, some of which are minor, we begin to see the big picture. We don’t feel the need to win every battle in the trenches of secondary or tertiary issues. Once we begin thinking globally, we will be able to better free-think the issues and see deeper into the other side’s true needs, wants, and desires.

Positive thinking fosters moments of epiphany, when a new idea comes to us. One we had not thought of before or that, at first blush, seemed so radical or unrealistic that we dismissed it. It may occur while we are thinking about a

problem, perhaps while driving, or as we daydream watching television, or in our sleep. Although many greater thinkers have written and spoken about the epiphanies that occur while dreaming, embarrassment may nonetheless prevent us from writing them down and remembering them. They seem so out of the box, we are fearful that our colleagues, employer, or adversaries will deride us if we suggest the idea. Yet, more often than not, it may be that these thoughts—the ones that bubble up from our subconscious during our dreams—present the best paths to solving a problem. Sometimes they offer a new path in our lives. All too often, we refuse to listen to these thoughts, much less act upon them. We refuse to emancipate ourselves. Our fear of derision and scorn keeps us inside our lock-less prisons. Our jailers are fear of rejection and fear of failure.

If we think positively, however, we won’t discard new ideas. Our positive thoughts will allow us to trust ourselves enough to share new ideas with ourselves—think them through—and then share them with others. Trust your instincts. Take a chance and trust yourself. Positive thoughts will promote positive actions. As we grow older, our instincts are often smothered by our fear of failure and rejection. Cast those fears aside.

Let’s consider a classic scenario where rational thought often overrides the instinctual to our detriment. When two people first meet on a blind date they are, at that moment, best able to ‘feel’ their natural instincts. To feel whether they will work as a couple. To feel how they fit. On a first date, neither party is invested in the relationship. This first encounter (and perhaps the next encounter as well) may be the only time the couple can allow themselves to truly feel their unadulterated instinctual emotions. They can really listen to what the other person has to say, and absorb

their entire presence—emotional, spiritual, physical, and verbal.

However, once the parties proceed into the relationship and become intimate, neither can continue to be truly instinctual. Why? Because they have then become invested in the relationship. “Let’s try to make it work” insinuates itself into each person’s thinking. At this watershed in the relationship, when one or both say (or think), “Let’s make it work since we’ve already gone this far,” the parties no longer think instinctually. Rationalization infuses their thoughts. If the couple doesn’t really mesh, one or both of them starts to say, “Even though X does so and so, I really want to give the relationship more of a chance. X will change” They should have listened to the comedian Flip Wilson, whose signature line was, “What you see is what you get!” In fact, what you see *is* what you get, for the most part, in life.

It is painful to really look at ourselves and recognize our flaws. It is even harder (and rarer) to commit to change and follow through on it. Mr. Wilson was perhaps advising that each of us needs to allow ourselves to see the other person exactly for whom and what they are. Why? Because that is most likely who and what we are almost always going to get. Yet, even when we sense a romantic relationship really isn’t right, our investment in the relationship causes us to rationalize. The investment causes us to rationalize away our concerns by attempting to neutralize—attempting to smother—our instincts. This is a time to listen to your heart. Trust your instincts.

We tend to rationalize away our instincts too often in our everyday encounters as well, encounters of lesser significance than our love life. We must allow ourselves to free-think the deal—to free-think the relationship—no matter how difficult or painful. It’s easy in a negotiation. The investment of time in

a negotiation pales in significance to an investment of time and emotion in our love life. We seldom have to concern ourselves about the feelings of the other party to a negotiation if the deal dies. No matter what, it's just another deal. Do not emotionalize the deal. Use your power of positive thought to process issues and solve problems.

We can also actualize the concept of positive thinking through visualization. Simply visualize the smile and the eyes we seek from the other side. By the same token, we can visualize ourselves saying yes and wearing a smile. Radiate positivity. It will shine on the negotiation and enhance your ability to reach a solution. Start with a simple visualization of yes. Then visualize a completed deal or successful encounter. See it in the way you would like it to resolve. Visualize a successful ending. Visualize the police officer simply giving you a warning. See the return clerk waiting on you and giving

you a store credit or cash refund in exchange for your shirt, rather than making you return after her lunch break. By visualizing a successful ending, we automatically give off vibrations and aromas that will induce, perhaps even intoxicate (with our kindness) the other side to reach for a yes.

Many years ago, when I refocused my legal career to concentrate more on real estate than corporate law, I sought to find an industry organization in which to participate. Finally, after attending several conferences, I found an organization in which I felt comfortable. As I attended this particular organization's conferences, I was always impressed by the quality of its volunteer speakers. Then, one day, at one of their conferences, I visualized myself at the lectern giving a presentation. With that positive thought and visualization, I developed the confidence, even though I was relatively new to the industry, to seek a

speaker's role at the next conference. It took a while to break in. Eventually, after volunteering for any speaker role regardless of importance, I was given a chance to speak. That opportunity was the springboard for my career in real estate. Years later, I became the chairman of the conference. The power of positive thought and visualization was much stronger than I could have possibly realized back then.

We can all become better negotiators and more effective and fulfilled individuals if we allow ourselves to exhibit more of the grace of kindness, goodness, and understanding. We simply need the right attitude—the one that allows us to think positively. ☺

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