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Leadership For Lawyers (And Others, Too)

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Effective leadership requires patience and mastery of the skill of listening. One a developed trait; the other, an acquired skill. Yet, both are constantly subject to the dual sabotage of the demands of our clients and the time starvation of our schedules.

Effective leaders recognize that a failure of patience and/or a failure to really listen always impairs the quality of their leadership. Why? Because successful leaders can create better strategies and execute more effective plans to implement their strategies when they have more facts to analyze and synthesize.

Surely, the lawyer who has more facts – whether about his client, his adversary's client or his adversary – is better positioned to understand the strengths

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and weaknesses of the transaction or litigation that needs to be analyzed. Moreover, successful leaders recognize that much of the information they need cannot be obtained firsthand. It must be gleaned from colleagues – colleagues who may be senior, equal or subordinate in the firm's hierarchy of power, influence or ability.

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To illustrate this point, let's analyze

one of the most typical fact-gathering interactions a leader encounters – the report by the subordinate working with the leader on a particular matter. Perhaps you are a mid-level or senior associate or a junior partner. It doesn't matter. In the "report context," we are all leaders.

"In order to be successful in the leadership role, we need to obtain all the information available. We need to constantly work to avoid the seven deadly words that reflect a failure of leadership. The seven words which erode, impede or doom a strategy. They are: 'Why didn't you tell me that before?'"

In order to be successful in this leadership role, we need to obtain all the information available. We need to constantly work to avoid the seven deadly words that reflect a failure of leadership, the seven words that erode, impede or doom a strategy. They are: "Why didn't you tell me that before?" When we think or verbalize these words, we are inwardly or outwardly blaming another for the lack of disclosure, the failure of another to furnish all the essential information that was available at the time. However, successful leaders know the blame truly rests with them. We failed to obtain all the information available at the time. What could we have done, or should we have done differently so that we obtained all the information then available?

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Let's first look at a typical interaction between an associate about to deliver a report and the attorney to whom he is reporting. Let's assume you ask your junior associate to stop by your office to discuss the Jones matter – a matter both of you have been working on together for several months. You like the associate, but you would have preferred a more senior associate or simply a brighter associate assigned to assist you in the matter.

What might you do to diminish the quality of the report and assure that the meeting is minimally productive? Let's see. You can:

- constantly interrupt;
- make intentional or unintentional facial gestures of disdain, disinterest or disbelief;
- read and, even worse, respond to your emails during the meeting;
- fidget with a ruler, paper clip, retractable pen or other desk item;
- start grilling your associate before he is finished, or
- quickly change the direction or subject of the meeting before your associate finishes.

But, what should you do? In fact, what should you always do? Simply exhibit patience and listen carefully. Listen to understand what your associate is really trying to communicate – listen and really work to “get it.”

Perhaps you are thinking your associate knows how busy you are and how valuable your time is (that's your ego's attempt to sabotage the meeting). Of course your associate knows how busy you are and how valuable your time is! It is those very thoughts that constitute half of the ingredients for an unsuccessful report. The ingredients constituting the other half? That is your associate's preference to focus on the good news only – all that he has accomplished and perhaps how difficult it was to achieve what he accomplished. Yet, the good news, which, of course, needs to be appreciated, often pales in significance to any bad news that never gets raised or thoroughly discussed. Why can that happen? Why does it happen? How do we conduct ourselves to avoid the seven deadly

words of leadership failure?

How often have we thought or spoken those words in an even more important context? The all-too-frequent “after-the-fact” conversation with a child when we have just learned through another, perhaps a teacher, a neighbor or via a letter, that our child is failing in a subject or has failed or received an incomplete in a course, or is hanging out with the wrong crowd, or worse!

“Think of your associate (your child, your spouse, your parent) as a very expensive bottle of red wine. You know – the good stuff that is bottled with a cork and has a dimple at the base of the bottle.”

Think of your associate (your child, your spouse, your parent) as a very expensive bottle of red wine. You know – the good stuff that is bottled with a cork and has a dimple at the base of the bottle. So, you ask, what does a vintage bottle of red wine have to do with it?

Lots. Let's open a bottle together and share the experience. First, the initial sips taste good, but get even better as the wine is exposed to the air as we let it breathe. Second, we know that the sediment – oenologists call it the “lee” – has sunk and kind of attached to the bottom of the bottle. Similarly, after subordinates begin to speak, they usually speak more openly. They get more comfortable because we haven't cut them off and we haven't demeaned them, whether intentionally or unintentionally. We simply avoided the six actions set forth before – the actions that intimidate and demean. But, most importantly, we can't overlook what we know about every good bottle of red wine. The sediment is at the bottom. In other words, the stuff our associates won't be comfortable telling us – the mistake, the request for an extension that shouldn't have been needed, the missed fact – won't likely be revealed until we get “near or at the bottom of the bottle”

(read: near or at the end of their report). Often, it's only after we've let them speak without interruption, without verbal or non-verbal jab, that they, just like a good bottle of wine, really open up. Why? Because by letting them speak and their sensing that we are working to really listen, we impart a sense of respect for what they have to say. Respect that envelops the meeting (like the bouquet from a good bottle of wine) emanating from our desire to understand. In turn, that desire to understand (*i.e.*, our respect for them) increases their comfort with and trust in us. As their comfort and trust increases they become more likely “to share” the sediment, or at least allow us to probe for it if they are unable to recognize it themselves.

Isn't that the way every interaction ought to be conducted? Isn't that exactly how people we really admire conduct themselves? Don't they stop what they are doing and really listen to us when we seek their advice – no matter how busy or important we perceive them to be? If our leaders don't do that, are they really effective leaders? Okay, so we're all stressed, we don't think what the other person has to say will be much more than a waste of our time – blah, blah, blah! The stress is almost always our ego (telling us we are simply too important). As for the meeting being a waste of our time – wrong attitude! We must constantly work to change it. The subordinate is our mentee, our hire (our child, our spouse, our parent).

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Being a more successful leader is as easy as electing to spend the scant few extra minutes with whomever we are in conversation. Really listening and working to understand what they're saying. Aren't those scant few extra minutes also a great investment in ourselves as well as our subordinate? What a win-win!