

‘Mission driven’ learning & development: beyond technical skills

By [Emily Morrow](#)

Mary wears many hats at the fictitious law firm of Smith & Same, a mid-sized law firm located in the mid-sized city of Anywhere, New Zealand. She’s been at the firm for 15 years doing administration, HR and organising learning and development programmes for the lawyers.

Bill Same, the firm’s managing partner, and Mary were reviewing Smith & Same’s learning and development (L&D) curriculum for the coming year following the partners’ discussion about how to enhance the firm’s culture. In my last *LawTalk* article “Law Office Culture; What It Is and Why It Matters” (in the 11 September 2015 issue), the Smith & Same partners decided the firm needed to increase its profitability consistent with maintaining its uniquely collegial and collaborative culture.

This is the firm’s new “mission”. Bill and Mary were interested in how to develop an L&D programme that would assist the firm in achieving this outcome.

Over the years, Mary has planned programmes to address the firm’s professional training needs, including improving legal research/writing skills and arranging for lawyers to attend external seminars on topics relevant to their practice areas.

However, she and Bill realised that to get the firm from where it was to where it wanted to be in terms of increased profitability, new types of training would be needed. This was unfamiliar territory for Mary.

She asked me how to integrate the firm’s new mission into its L&D curriculum for the coming year. We agreed the lawyers did not just need more technical skills training. They knew their respective practice areas well and were some of the most highly trained professionals in town. Bill Sames’ father, William Sames Sr, set the standard for professional expertise, and this was deeply embedded in the firm’s culture.

I asked Mary to compile a “menu” of the **non-technical capabilities** or “soft skills” the lawyers would need to:

- 1 improve their profitability and work smarter (but not necessarily harder);
- 2 build their professional profiles (and therefore their practices);
- 3 improve their practice management skills; and



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4 better manage their teams.

We agreed this menu would inform the design of the L&D curriculum for the year consistent with the firm’s new mission.

The L&D ‘menu’

Mary prepared the following list of “soft skills” that lawyers in the firm needed to cultivate. She said: “What we need to do now is go beyond technical skills. We have plenty of lawyers who are great lawyers, but are lacking in other capabilities”. Her list included:

- business development and how to raise one’s external profile;
- delegation and using support staff to free up lawyer time for business development/firm management/leadership opportunities;
- influencing and coaching skills, consistent with the firm’s collaborative culture and the work style of its “millennials” lawyers;
- ensuring all staff have a basic understanding of temperament and how to use it to enhance interactions with others;
- oral and written self-presentation and communication skills, especially in relation to business development;
- networking and professional relationship building skills; and
- entrepreneurship, or seeing one’s practice not just as a professional practice, but also as a business.

This was a good list and I encouraged the firm use it as the basis for the “soft skills” portion of its L&D curriculum.

Developing the curriculum

I suggested Mary prioritise the above menu items based on what were the most “mission critical capabilities” for Smith & Same’s lawyers.

She decided to start with influencing and self-presentation/communication skills, both of which are integral to the other competencies on her list. If a lawyer has great technical expertise combined with excellent communication, self-presentation and influencing skills, he/she will be a star.

How does one train lawyers to be better communicators/self-presenters, influencers, business developers, networkers and team managers?

Clearly, none of us were taught how to do these things in law school (although we likely would have benefitted



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had that occurred).

The best approach is to combine some specific, didactic instruction with interactive, small-group work on real life, practical problems. Neither approach alone will suffice, but the two together are extremely effective. Participants learn what they need to know, they apply it and then they practise it repeatedly, reflecting on what has worked well and what needs to change.

Influencing

Bill suggested we start with influencing skills training for everyone in the office (including lawyers and non-lawyers), so everyone would have a common vocabulary and shared hands-on experiences.

Influencing is the ability to lead others outside your control so they make better decisions affecting you and your work. It's a critical capability and Bill and Mary decided everyone in the office would benefit from a better understanding of how to influence "up" (someone to whom you report), "across" (a peer) and "down" (a direct report).

There are four competencies associated with enhancing one's ability to influence. These are:

- 1 "strategic questioning" (open-ended questions designed to gather and better understand information);
- 2 active listening (listening to really hear what another is saying);

- 3 developing high trust professional relationships; and
- 4 having some understanding of temperament.

We developed a curriculum focused on all four competencies, including interactive exercises in which each participant would practice developing these skills. The training would also include a discussion about how to incorporate influencing in one's

self-presentation, networking and team management skills.

Business development and networking

Mary decided that the firm should next emphasise business development and networking skills to encourage lawyers to build their practices and increase their profitability. Bill asked me to interview

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several lawyers to identify what training might be most helpful in this regard.

Not surprisingly, the lawyers I interviewed knew what they needed to do to bring in more business, including getting out of their offices, networking, writing articles, doing professional speaking, improving their website presence and so forth.

The problem was that they not doing those things. No doubt, they were busy billing their time. However, more significantly, they admitted they lacked the confidence to do what they knew they should do, and so failed to follow through on their good intentions. This was a bit surprising because these lawyers were all successful, capable professionals. Nevertheless, it was true.

The decision was made to offer several “a la carte and hands on” workshops that lawyers could choose to attend, focusing on how to:

- contact prospective clients and referral sources including “hot”, “warm” and “cold” calls. What is the professional etiquette to build your network?
- “work the crowd” in social and/or professional gatherings, optimise the number of people one meets and follow up with later on to cultivate a professional relationship;
- write an effective and memorable article either for a professional publication (that lawyers or other professionals read), or for a lay audience of prospective clients or referrers;
- plan and present a high impact oral presentation; and
- “convert” a professional relationship or other “lead” into a new instruction. The ability to convert a prospect into a client is the most critical factor in building a successful practice.

Lawyers said they wanted these training sessions to be practical, including the opportunity to role-play certain situations and discuss networking strategies and ideas for articles/presentations etc.

Because lawyers chose which workshops they wanted to attend, the groups were relatively small and highly motivated. Participants brought real life questions to the discussions, and we addressed them in a high trust, informal and results-oriented way.

The feedback was good, and participants advised they felt more confident and capable going out and engaging in business development and networking efforts.

Delegation and team management

Again, although this workshop would be optional, I encouraged both partners and staff to attend. Ideally, everyone should be on the same page when it comes to delegation and teamwork.

We decided to emphasise the concept of “optimal delegation” – what it looks like in practice and how to manage a team to achieve it.

This included how to “triage” work, set up and use workflow monitoring systems, improve communication and avoid bottlenecks in the system.

The group reconvened several weeks after the training session to reflect on the extent to which these new

approaches had enhanced workflow, client satisfaction, efficiency and the like. The results were positive. Team members had made some noticeable changes in how they were delegating and doing their work to expedite the pipeline.

Reflecting on success

The approach to L&D at Smith & Same was unusual because it was intentionally informed by the firm’s decision to enhance its culture.

This mission created a coherent framework for the process and provided a litmus test for whether or not the training was appropriate and successful. In essence, the L&D curriculum at Smith & Same was a case study on how to implement a mission-driven training programme to enhance law office culture.

After the majority of the training was completed, Bill convened a partners’ meeting to discuss how things were going. He reviewed the firm’s year-to-date financial performance and success in attracting new work from new clients and more work from existing clients. This constituted the “quantitative” part of the review process.

The partners also reflected on the “qualitative” outcomes of the training relative to business development initiatives, team functioning and firm morale. They discussed what was and was not working well and what needed to change.

The group identified areas for future work, especially in regard to new business development, an area where everyone needed to do a bit more. Behavioural change is never easy, particularly when people lack some self-confidence at the outset.

Making it a priority

Smith & Same is a fictitious law firm and this is a fictitious case study. It is fictitious for a couple of reasons. Firstly, this law firm does not exist. Secondly, and perhaps more importantly, very few law offices understand their organisational culture sufficiently well to design an L&D programme designed to enhance that culture.

That said, any law firm can design and implement a mission driven L&D programme by making it a priority to do so.

Many firms have begun the process and they find that doing so correlates closely with enhanced financial performance and an improved work environment.

It’s a somewhat different approach to professional training and it’s an excellent complement to more traditional skills-based technical training for lawyers.

Emily Morrow was a lawyer and senior partner with a large firm in Vermont, where she built a premier trusts, estates and tax practice. Having lived and worked in Sydney and Vermont, Emily now resides in Auckland and provides tailored consulting services for lawyers, barristers, in-house counsel, law firms and barristers’ chambers focusing on non-technical skills that correlate with professional success: business development, communication, delegation, self presentation, leadership, team building/management and the like. She can be reached at www.emilymorrow.com.