November 8, 2014
9:15 AM – 10:30 AM

Session 502: How to Establish Yourself as a Leader

Are there unique challenges or opportunities that APA Women face when becoming a new leader? Come share in a discussion of personal journeys to top leadership roles: our first 100 days as a new leader, struggles to stay true to our authentic voice, overcoming stereotypes, and inner fears of self-confidence (imposter syndrome) which we, APA Women, still face even when we are GCs of Fortune 500 companies!

Program Co-Chair:
Simone Wu, General Counsel, Choice Hotels International

Program Co-Chair & Speaker:
Linda Lu, Chief Litigation Officer, Nationwide Insurance Co.

Moderator:
Lloyd M. Johnson, Publisher, Inside Counsel Magazine

Speaker:
Caroline Tsai, Senior Vice President, Chief Legal Officer, U.S. Personal & Commercial Banking, BMO Financial Group
Debra Yang, Partner, Gibson, Dunn & Crutcher LLP
Navigating the first 90 days: One leader’s approach

In companies of all sizes, newly hired or promoted leaders have a relatively short window—typically 90 days—to make an impact. Those first 90 days are written about in books and articles, which should be read with your own job in mind. Each role has different priorities, so create your own checklist based on your department’s needs.

I recently interviewed Linda Lu, chief litigation officer of Nationwide Insurance. She started in March 2013 as one of four new direct reports to the company’s general counsel. Her team has 55 attorneys and staff members who manage all corporate litigation. Linda described the process she used to learn about her team and the job while considering changes.

Goals and process

Linda had three main goals at the outset: 1) Learn what was working, and where there were opportunities; 2) determine whether the structure was on target or could be enhanced; and 3) begin making changes. She also used a deliberate process to achieve those goals: 1) Conduct interviews; 2) assess the results; and 3) decide on changes and implement.

Meetings

Linda personally met with over 75 people, including her team, her legal department peers and senior leaders of Nationwide. She asked questions about their impressions of: 1) The legal department and litigation group; 2) the litigation group’s strengths and areas of opportunity for client service; and 2) which litigation associates stood out as impactful to business decisions.

Assess the Results

While the executives thought the litigation talent pool was strong, there was an opportunity to strengthen the partnerships with the business. As in most companies, litigators are perceived as naysayers. Therefore, litigators often are not invited to innovation sessions. As for engagement, talent and roles were under-assessed, providing an opening to create leadership and growth opportunities.

Brainstorm

In June 2013, Linda and the litigation team leaders worked together to whiteboard what an optimal organization might look like: 1) To support talent development and create growth opportunities for her team; and 2) to guide litigation leaders in gaining a more global perspective to provide better client service. In addition, the group articulated a value proposition for internal and external visibility. They agreed that the team would enhance communication and develop processes that identify and help minimize risks. They would enhance collaboration with the company’s business-facing lawyers who could help bring the litigation perspective to the table earlier.

Restructuring

The restructuring involved creating three new leadership positions to allow for a greater global perspective of the businesses they serve. The new leaders would have additional opportunities to build relationships organically. They would have a broader scope, broader influence and most importantly, be invited to the innovation table where they could add real value. In July and August 2013, before moving to actual restructuring, Linda socialized the reorganization with the litigation group’s key business clients. She wanted to thank these leaders for their valuable input, be sure they agreed that the plan would actually address the issues discussed, and confirm that the new litigation leaders would be invited to the table.

In September and October, internal interviewing commenced to fill the new positions. On Oct. 30, the new litigation leadership team and their HR partners held a half-day summit to discuss team engagement and commitment to working and playing well together.

Next Steps

The restructuring is complete but the jury is still out. Linda emphasizes that this was a team effort and about building relationships. In the meantime, Linda is open to talking about her process and progress to other in-house counsel who may benefit from her group’s experience.
7 Secrets to Becoming General Counsel

From the Experts
Lori L. Garrett, Corporate Counsel

June 2, 2014

Want to become a general counsel? How about taking advice directly from four highly successful general counsel? BarkerGilmore reached out to these top legal executives to unveil seven secrets to becoming a general counsel.

1. Do Your Job Well

Strong analytical skills, excellent writing and communication abilities, delivering high-quality work product, understanding the law—this is doing your job well as a lawyer. And these are the skills required of anyone aspiring to become a general counsel.

“If you do your work well, believe me, when someone needs something done, they are going to come ask you to help. That opportunity to add value is the key to your success and your company’s.”
—Arnold Pinkston, EVP, GC and assistant secretary, Allergan Inc.

“Everyone in your legal department has to be a good lawyer. To be a good lawyer is not enough to succeed as a good general counsel.”
—Marla Persky, CEO and president, WOMN LLC; former SVP, GC and secretary, Boehringer Ingelheim USA Corporation

2. Be Flexible in the Work You Are Willing to Do

“I was an M&A lawyer, but when the opportunity came to go work as a health-care generalist, I was willing to do that. As a generalist, I handled a variety of issues, including regulatory and supply-chain matters. I remember spending several weeks of a year training our international offices on the Foreign Corrupt Practices Act. Advising our offices in Beijing, Shanghai, India and across Europe was very far afield from fast-paced M&A work. But I decided to own it, and really do it well. In the end, I had a diversity of experiences that proved important to the people who were considering me for the job that I have now.”
—Michael-Bryant Hicks, SVP, GC, secretary and CCO, Providence Service Corporation
3. Read Business Periodicals


"I am amazed at how you can work in a large company without reading The Wall Street Journal every day. I think a lot of lawyers do not. So what does reading The Wall Street Journal, or any financial trade magazine, give you? You actually know what is going on in the world. I read a lot of financial literature. Initially, I did not get anything out of it. But eventually, it became really interesting. It allows you to sound less like a lawyer, but more like a businessman, because you actually know what is happening in the business world, not just the legal world.

–Don Liu, GC and secretary, Xerox Corporation

4. Become an Astute Businessperson

Learn the business. Really know the business. Talk like a businessperson. Stop talking like a lawyer. Relate to the businessperson’s problems and issues. Care about the business as much as the businesspeople do.

"I have not been comfortable advancing people in-house who talk like an outside lawyer. Talking like an outside lawyer means talking about the law for law's sake. That doesn’t fly in a business setting. A general counsel could never say, 'Let me give you a memo on the law.' A business client will never read a memo on the law. You need to be able to shoot from the hip and be right (about 85 percent of the time). You have to be able to say, 'Okay, let's make sure that you are giving me the whole story, and let's clearly define what you want to achieve. Let's not focus so much on how you are going to do it. Because, when I give you the advice on how to do it, I will be taking into account what the law requires.'"

–Marla Persky

"A lot of lawyers assume that their audience knows the law or even understands simple legalese. You have to assume that your audience is not familiar with legal terms. I find a lot of lawyers really talk to their clients like they are talking to another lawyer. But, I am not even sure lawyers like talking to each other in legalese. The best advice I ever received was around this issue of 'style of talking.' It takes longer, and is more difficult to write a succinct, short letter. It is more difficult to distill a complex legal issue into simple words that everyone can understand. It is more difficult, but that is what good lawyers do for their business clients."

–Don Liu
5. Be Flexible in Where You Are Willing to Live

"With each new job, I was not necessarily excited about relocating, but I
realized that you cannot demand that the opportunities you want in your
career come in the city where you are living. Even if we live in big markets
like Chicago, New York or Washington, D.C., only so many big
opportunities come around. That is especially true for the more senior
positions. GC spots at publicly traded companies do not become available
often. When jobs do come open, many qualified attorneys apply. The
universe brings you opportunities in places you did not intend at times you
did not expect. You have to be flexible enough to relocate to seize those
opportunities."
—Michael-Bryant Hicks

6. Care About Your Management Responsibilities as
Much as You Care About Your Own Portfolio of Work

"You cannot be a great general counsel unless you can get people to work
together. Fundamentally, no work in a corporation gets done solely
because individuals are doing great things; it is always teams. Every major
human advancement, in fact, depends on teamwork. So, creating good
interactions amongst teammates and making sure everyone is trained
makes the team more effective. These are the only ways to ensure the
success of the enterprise."
—Arnold Pinkston

"There are some people who are managers of others, but what they really
love is the legal work that they are doing, so they fit in the management of
people on the side, when they have time. Those are not people I want to
see progress in the management of the legal department. For you to be a
successful general counsel, you have to be able to manage the
department’s dysfunction, and you have to realize that leading people is
one of the two most important things you are doing."
—Marla Persky
7. Remember Why In-house Lawyers Exist: To Make Money for Shareholders

“You have got to appreciate the primary reason that you are at a company. It is to help your client make money. Your job is to cut costs, which makes money, and to help raise revenues for the company. And your frame of mind has to change into a businessman’s mind. I think it will distinguish you, and allow you to move up into an executive rank, when you can be part of a group of people whose job is to make more money for the company.”
—Don Liu

There you have it: sage advice about what you need to do to become a GC without getting up from your desk. Thanks to Hicks, Liu, Persky and Pinkston for sharing the wealth of their experiences.

To read about how the general counsel role has evolved and grown in stature, from the perspective of leading CEOs and board members, read “GCs in the Boardroom and Beyond.”

Lori Garrett is managing director and co-chair of the women and diversity practice at BarkerGilmore, a leading executive search firm focused on the recruitment of general counsel and chief compliance officers, along with their high-level reports. She can be reached at lgarrett@barkergilmore.com.