Beyond the Law:
The Critical Skills Attorneys Need to Succeed, and How to Build Them

By:

Stephen V. Armstrong
Firm Leader, Inc.

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Stephen V. Armstrong  
Firm Leader, Inc. 
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Steve Armstrong is a principal of Firm Leader, which provides consulting and training services to law firms, and the principal of Armstrong Talent Development. For more than 20 years, he has helped firms to develop their lawyers’ talents so that they can contribute as much as possible to their firms and their own careers. During that time, he has designed and implemented evaluation, promotion, and compensation systems; training curricula; leadership development programs; diversity initiatives; associate surveys; and upward evaluations. In recent years, he has focused on designing and conducting programs for law-firm leaders and other partners on leadership and managerial skills. He also conducts programs for associates on delegation, supervision, feedback, project management and other managerial skills.

Previously, Steve served as Director of Career Development for WilmerHale and in similar roles at Paul, Weiss, Rifkind, Wharton & Garrison and Shearman & Sterling. He has published and spoken widely on the topic of talent management, and he also teaches legal writing for judges and lawyers in the U.S. and Canada. He is the co-author of Thinking Like a Writer: A Lawyer’s Guide to Effective Writing and Editing (3rd edition, 2008, Practising Law Institute).
Assume that your managing partner says to you ……………

… so your task is to improve the firm’s percentage of high-performers. You will be given miraculous powers to succeed at one – but only one – of the following.

Which would you choose?
1. Recruit law students/laterals with better grades, from higher-ranking law schools
2. Use personality assessments, behavioral interviewing, etc. to identify recruits who have the traits that will make them successful
3. Persuade senior lawyers to provide continuous on-the-job coaching
4. Create effective methods of training for "success" skills and behaviors (initiative, judgment, etc.)
5. Buy a miracle drug for improving ambition and stamina
6. Find an easier job
The key questions

What traits and behaviors differentiate the most effective lawyers from the rest?

How do these traits and behaviors vary among practices and seniority levels?

Which “success” traits can you look for when you recruit – and how do you spot them?

Which “success” behaviors can be developed on the job – and how do you develop them?

A two-prong strategy

Selection

Development

Traits & history

Behaviors

Competencies

A two-prong strategy (continued)
The recipe for success?

**Selection**
- Cognitive smarts: IQ, analytical ability
  - For example: conscientiousness, self-confidence, inquisitiveness, ...
- Character traits
- History & motivation

**Development**
- On-the-job development: Early and continuing coaching, expanding challenges
- Training focused on success factors: Identify success factors, publicize them, train for them

The complications

Your managing partner drops by again. She says, “You know, I’ve been thinking about our last conversation, and ………….”

The complications (continued)

The qualities that make a lawyer successful may depend on the type of practice*:

- Customized
- Standardized
- Systematized

... and the lawyer’s seniority:

- Junior associates
- Senior associates
- Partners
- Leaders

* Adapted from Susskind, R., The End of Lawyers? (Oxford University Press, 2008)
Each new level requires new skills

Senior associate

"The art of delegation ... is difficult, requiring nicety of balance which many lawyers with fine minds and excellent judgment are unable to attain." - Robert Swaine of Cravath, Swaine & Moore

Partner

"Overnight, I changed from the world’s best associate to the world’s worst partner." - A new partner

Leader

"Two-thirds of our group leaders are ineffective, some because they don’t care but most because they don’t have the skills." - The managing partner of a large firm

Looking for “success” traits:
Sample personality models

The Five-Factor Personality Model

Openness to experience: inventive/curious vs. consistent/cautious
Conscientiousness: efficient/organized vs. easy-going/careless
Extraversion: outgoing vs. reserved
Agreeableness: friendly/compassionate vs. cold/unkind
Neuroticism: sensitive/nervous vs. secure/confident

... with sub-factors in each category

Revised NEO Personality Inventory (NEO PI-R) or its shorter version (NEO-FFI)

Sample personality models (continued)

Hogan Personality Inventory

Adjustment: confidence, self-esteem, and composure under pressure
Ambition: initiative, competitiveness, and desire for leadership roles
Sociability: extraversion, gregarious, and need for social interaction
Interpersonal Sensitivity: tact, perceptiveness, and ability to maintain relationships
Prudence: self-discipline, responsibility and conscientiousness
Inquisitiveness: imagination, curiosity, and creative potential
Learning Approach: achievement-oriented, stays up-to-date on business and technical matters
Sample personality models (continued)

**Caliper Profile**

**Leadership**
- Risk-Taking
- Energy
- Ego-Drive
- Assertiveness
- Aggressiveness

**Problem-Solving and Decision-Making**
- Thoroughness
- Idea Orientation
- Cautiousness
- Abstract Reasoning Ability

**Personal Organization and Time Management**
- Urgency
- Thoroughness
- Self-Structure
- External Structure
- Cautiousness

**Interpersonal dynamics**
- Sociability
- Skepticism
- Gregariousness
- Empathy
- Ego-Strength
- Accommodation

What does research show about correlations between traits and star performance?

Core self-evaluation traits  
Judge and Bono (2001)

All of the following correlate with performance:

**Locus of control**
- “I can influence my environment”  
  vs.  
- “External forces matter more than my own efforts.”

**Self-esteem**

**Self-efficacy**
- “I will succeed whatever the task.”  
  vs.  
- “If I haven’t done this before, I may fail.”

**Emotional stability**
Predictors of success at work and in life

Spencer (1993)

- **Achievement Orientation.** The desire to attain standards of excellence and do better, improve performance
- **Initiative.** Acting to attain goals and solve or avoid problems before being forced by events
- **Information Seeking.** Digging deeper for information
- **Conceptual Thinking.** Making sense of data and using theories and algorithms to solve problems
- **Interspersonal Understanding.** Hearing the motives and feelings of diverse others.
- **Self-Confidence.** A person's belief in his or her own efficacy, or ability to achieve goals.
- **Impact and Influence.** A person's ability to persuade others to his or her viewpoint.
- **Collaborativeness.** Working effectively with others to achieve common goals.

With thanks for this slide and the next to Professor William Henderson (Lawyer Metrics, LLC and Maurer School of Law, Indiana University)

LSAC Successful Lawyering Study

Shultz and Zedeck (2008)

- **Intellectual & Cognitive**
  - Analysis and Reasoning
  - Creativity & Innovation
  - Problem Solving
  - Practical Judgment
- **Research & Information Gathering**
  - Researching the Law
  - Fact Finding
  - Questioning & Interviewing
- **Communications**
  - Influencing and Advocating
  - Writing
  - Speaking
  - Listening
- **Planning and Organization**
  - Strategic Planning
  - Organizing and Managing One’s Own Work
  - Organizing and Managing Others (Staff/Colleagues)
- **Conflict Resolution**
  - Negotiation Skills
  - Able to See the World Through the Eyes of Others
- **Client & Business Relations**
  - Entrepreneurship
  - Networking and Business Development
  - Providing Advice & Counsel & Building Relationships with Clients
- **Working with Others**
  - Developing Relationships within the Legal Profession
  - Evaluation, Development, and Mentoring
- **Character**
  - Passion and Engagement
  - Diligence
  - Integrity/Honesty
  - Stress Management
  - Community Involvement and Service
  - Self-Development

Lessons from the LSAC study

**Academic ratings ...**

- Predicted success only for “academic” aspects of lawyering (e.g., analysis, writing, research)
- Correlated negatively with some success factors, such as Networking, Conflict Resolution, and Integrity

**Non-academic assessment instruments ...**

- Some assessment ratings predicted many success factors. For example:
  - Several Hogan Personality Inventory ratings – e.g., Adjustment, Prudence, Ambition, Interpersonal Sensitivity – correlated with at least 14 of the 26 success factors
  - A Situational Judgment Test showed correlations with all but two of the success factors
So ...........

How can you select more effectively?

Identify the key traits for your firm. Then use ...

Assessment instruments

Effective behavioral interviewing

"Norming": effective multi-person interviewing

Identifying key traits for your firm

For a firm’s (or group’s) strategy, what behaviors will matter most in the future?

What behaviors mark top performers?
-- Evaluations
-- Interviews with supervisors
-- Behavioral interviews with stars

In your firm, which of the key behaviors are in short supply?

Which are correlated with traits that can be identified before hiring?
What are the risks?

Can we develop high-performance behaviors after we hire?

The lessons of the Bell Labs research*


Work Strategies of Star Performers
Kelley (1998)

- **Initiative**
  - Blazing trails in the white spaces
- **Networking**
  - Knowing who knows; learning to barter
- **Self-Management**
- **Perspective**
  - Getting the big picture
- **Followership**
  - Leading in assists
- **Leadership**
  - Doing small-L leadership in a big world
- **Teamwork**
- **Organizational Savvy**
  - Using street smarts in the power zone
- **Show-and-Tell**
  - Persuading the right audience with the right message
In the Bell Labs population, everyone thought they were taking initiative and networking...

... but some did it differently.

What was the difference?

How about judgment?
Can you help lawyers learn the behaviors that underlie good judgment?

The Bell Labs Lessons

Lesson 1: It’s the dance steps that matter, not the name of the dance

Lesson 2: Show me the steps, then make me practice them

Lesson 3: Changing behaviors is messy: try, argue, try again, get feedback, try again

Research in an AmLaw 100 firm: High-performance traits and behaviors

Berman and Bock (2012)

Mindset and philosophy
- Equanimity
- Action-oriented mental strength
- Intrinsic need for achievement
- Need to have achievement recognized
- Strong sense of self & self-knowledge

Managing the work environment and results
- Able to handle the unpredictable
- Openness to multiple possible solutions
- High degree of effort and ownership

Working with others
- Build strategic social networks
- Emotional independence
- Seek direct impact on others

Which behaviors would you try to develop?
How can you develop “success” behaviors?

A workshop design:

- Create self-awareness (assessments, 360 reviews, etc.)
- Describe and model the dance steps
- Apply to a scenario
- Apply prospectively to a real situation
- Round 2: Regroup and debrief about real situations

What else?

- The first six months are key
  - Short scenario-based workshops focused on success behaviors
  - More frequent formal feedback, tied to success behaviors
  - Explicit coaching roles – focused on success behaviors – for at least one partner with whom the associate works
- Coaching is key
  - What are the incentives for senior lawyers to train on the job?
  - How could you move towards a “teaching hospital” culture?
- Observation is key
  - Shadowing and “watching/listening” programs
- Mutual aid can help
  - Mentoring circles
  - Mid-level associate as coaches – select and reward

“Succeeding forward”:
Redefining success during a career

Awaken
- Realize that “success” going forward will have a different definition and require new skills.

Unlearn and discern
- Analyze existing assumptions and behaviors, experiment with new ones.

Advance
- Imbed new attitudes and behaviors in your work.

Adapted from McGuire, C. and Rhodes, G. Transforming Your Leadership Culture (Jossey-Bass, 2009)
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More resources are listed at www.lawyermetrics.com

Contact Information

Steve Armstrong
Principal,
Firm Leader Inc.
and Armstrong Talent Development

(202) 580-9291
steve.armstrong@firmleader.com