Session CLE802 | Pathways to Leadership in the Public Sector and Public Interest

This panel of government and nonprofit leaders will share their diverse experiences on various pathways to leadership. Understanding such pathways can help create a pipeline for strengthening AAPI leadership in the law. While Asian Americans have entered virtually every sector of the legal profession, they are significantly underrepresented in the leadership ranks of many legal areas, including public sector positions. The recent study “A Portrait of Asian Americans in the Law” found that there is a stark dearth of Asian American lawyers occupying senior level positions in the country. For example, in 2016, of the 94 United States Attorneys in office, there were only 3 Asian Americans; only 3% of federal judges were Asian American. In response to these findings and realities, this panel seeks to continue the dialogue. The panelists will discuss avenues for Asian American public sector and public interest attorneys to advance in their careers and become leaders in their work, focusing on leadership outside of the partisan political process. Discussion topics include: how these attorneys reached their leadership positions; leadership lessons and challenges facing Asian American attorneys seeking leadership roles; leadership strategies, skills, and techniques.

Moderator:
Hope Y. Lu, Senior Counsel, Affirmative Litigation Division, New York City Law Department

Speakers:
Daniel D. Hu, Chief, Civil Division, United States Attorney’s Office - Southern District of Texas
Manjusha P. Kulkarni, Executive Director, Asian Pacific Policy and Planning Council (A3PCON)
Rahat N. Babar, Special Counsel for Litigation, Governor of New Jersey
Pathways to Leadership in the Public Sector and Public Interest

Agenda

Welcome and Introduction

Opening Remarks

Panel Discussion

- Tell us about your path to your current leadership role

- What obstacles did you face and how did you overcome them?

- What leadership lessons can you extract from your experience to help the audience with becoming successful leaders?

- What skills do you think are most important for being a successful leader, and how would you hone those skills in preparation for leadership?

Q & A

Closing Remarks
PATHWAYS TO LEADERSHIP IN THE PUBLIC SECTOR AND PUBLIC INTEREST

Attorney General
William Tong
Key Components of Leadership

- Make a personal commitment and share your story
- Take risk and be prepared to fail
- Persevere and do not quit

- Leadership vs. management
  - Listen & communicate
  - Empower and develop your team
  - Planning & Execution
This handout is separated into four sections: (I) Summaries from research regarding the dearth of Asian Americans in leadership positions, (II) and (III) Top takeaways from reference tools for overcoming obstacles to leadership for Asian Americans and becoming a successful leader, and (IV) Copies of all the referenced citations.

I. RESEARCH REGARDING THE DEARTH OF ASIAN AMERICANS IN LEADERSHIP POSITIONS

- **Portrait Project 1.0 - “A Portrait of Asian Americans in the Law”**
  [https://static1.squarespace.com/static/59556778e58c62c7db3f8e84/t/596cf0638419c2e5a0dc5766/1500311662008/170716_PortraitProject_SinglePages.pdf](https://static1.squarespace.com/static/59556778e58c62c7db3f8e84/t/596cf0638419c2e5a0dc5766/1500311662008/170716_PortraitProject_SinglePages.pdf)
  - Since 2000, the number of Asian American lawyers has grown substantially. But Asian Americans are significantly underrepresented in the leadership ranks of the legal profession, including the public sector.
  - Although a significant number of Asian Americans serve as line prosecutors and government attorneys in some agencies and jurisdictions, their numbers dwindle at the supervisory level.
  - Many Asian American attorneys report experiencing inadequate access to mentors and contacts as a primary barrier to career advancement.
  - Many Asian American attorneys report implicit bias and stereotyped perceptions as obstacles to promotion and advancement.

  - Studies show that while Asian Americans are well represented in lower-level positions they are underrepresented at management and executive levels.
  - Based on the psychology literature, the report concludes the stereotypes about Asians contribute to the problem in two ways: Stereotypes about Asians being highly competent can make Asians appear threatening in the workplace, and stereotypes about Asians lacking social skills make them seem unfit for leadership.
  - Studies demonstrate that two main stereotypes have emerged: Asians are particularly high on competence (they were seen as successful and intelligent) and low on social skill (nerdy, antisocial).
  - Studies find that the inconsistency between Asian stereotypes and the traits people tend to value in leaders (e.g. masculinity, charisma, and tyranny) puts Asian Americans at a disadvantage; they are often seen as fit for low to midlevel management positions but not top-level leadership.
  - Cultural values may also contribute to the disconnect between Asians and leadership in the U.S. For example, Eastern cultural norms encourage humility and deference to authority – but leaders in Western cultures are usually required to command authority and to promote themselves and their ideas.
• When Asians do act assertively, they may be penalized for violating the stereotype.
• Bias against Asian leaders can decrease motivation to lead among Asian Americans, which can further exacerbate and reinforce the view that they’re not suitable for leadership.
  

  • While Asian Americans were 9.8% of the federal professional workforce in 2016, they are only 4.4% of the workforce at the highest federal level.
  
  • One global energy company commissioned an internal task force to review the status of women and minorities in its leadership pipeline. Reporting to the executive staff, the task force found insufficient gender and racial diversity in the pipeline, including Asian diversity, and recommended specific actions. With strong CEO and executive support, the company quickly moved to identify potential leaders and significantly increase its spending for leadership training for women and minorities. For its Asian workforce, it [partnered with a major business school](https://hbr.org/2018/05/asian-americans-are-the-least-likely-group-in-the-u-s-to-be-promoted-to-management) to integrate culturally specific training into its leadership development program for Asian American managers.

  o Other articles:


  • “Greater penetration into these public leadership roles is critical to increasing the influence of Asian Americans throughout the profession and society”

II. WAYS ASIAN AMERICANS CAN OVERCOME LEADERSHIP CHALLENGES: THEMES FROM SUCCESSFUL LEADERS


  • Qualitative study on 14 Asian American leaders. Although each leader was unique and traveled a different path, there were some common themes and lived experiences.

  • Major themes include the influence of common Asian values, having to negotiate multiple identities, leading at the urging of others, using a group orientation and collaborative style, having a strong work ethic, emphasis
on excellence, having to respond to stereotypic perception and expectations, salient aspects across participants

- **Influence of common Asian values**: being humble, having concern for others’ well-being first, being kind, giving back to the group or community, valuing education, respecting one’s elders, and being responsible

- **Negotiating Multiple Identities**: most participants identified strongly with the dimensions of ethnicity, family, and work. Work is considered a public representation of one’s family; children’s achievements and successes are seen as honorable for the family

- **Leading at the Urging of Others**: For many, the role of leaders was not one they pursued but were asked to fulfill by others

- **Group-Oriented and Collaborative Style**: Participants responded that they emphasized the group’s efforts and outcomes as opposed to solely the leaders’. Behaviors illustrating this style included listening and empowering others, decision making based on consensus, facilitating the group in working together, and giving everyone credit.

- **Strong Work Ethic and Excellence**: all seemed to have strong work ethic and were hard working. Many discussed long working hours and being driven to do a good job

- **Expectations and Stereotypes Based on Appearance**: participants believed expectations and stereotyping by others were occurring due to their appearance.

- **Support and Mentoring by Others**: to assist participants in their careers and leadership positions, role models and mentors were sought and consulted for information, advice, and guidance. Mentors and role models served as valuable models and supports in surviving and thriving and balancing the various aspects of both professional careers and personal lives, including assisting with actual skill performance such as assertiveness, public speaking, or interpersonal fluency. Mentors also could advocate, empower, intervene, and validate when issues, problems, or difficulties.

- **Resilience and strength** in dealing with negative portrayals and work situations important for pursuing and fulfilling leadership positions successfully.

The paper concluded that there are Asian American leaders who embraced certain characteristics consistent with Asian cultural values and thus one does not have to give up one’s identity in order to be an effective leader in the United States. Further, the report conclude that Asian Americans are capable of being effective leaders, and the barriers about Asian Americans being in leadership positions may have more to do with the attitudes, prejudice, and discrimination in the social context by others’ perceptions, stereotypes, and stereotype threat that derails Asian Americans from opportunities and selection to be leaders.
Pepperdine University Research Project - Attributes of Asian American senior leaders who have retained their cultural identity and been successful in American corporations -
https://digitalcommons.pepperdine.edu/cgi/viewcontent.cgi?article=1289&context=etd

- Study using 32 Asian American senior leaders of Fortune 600 companies
- Study found that Asian Americans are the ethnic group least likely to have a mentor
- Study found impression management was related to performance ratings and quality of supervisor-subordinate relationships
  - Job-focused impression management – creating a positive impression on the supervisor through the work tasks employees are doing
  - Self-focused tactics – keeping the supervisor informed of the employee’s accomplishments
  - Supervisor-focused tactics – non-job-related behaviors by the employee to please the supervisor
- Common themes from Asian American senior leaders that influenced their leadership journeys
  - Learned early to integrate their Asian and American cultures
    - These leaders found a balance of their Asian and American (Western) cultures.
  - Live and believe in the strong Asian value of hard work
    - Comments included desire for perfection, not fearing difficult assignments, and putting the hours and efforts needed
  - Willing to take risks and stretch themselves
    - Recognition of constant turns and changes in their careers and the leaders’ ability to stretch themselves beyond their comfort zones. Each leader continuously looked for, and was open to, new challenging assignments, no matter how difficult or different the work was.
    - The ability to overcome fear
  - Learned from non-Asian mentors and influences
    - The importance of mentorship and sponsorship of others: all the leaders could remember a point in their careers or their lives when the actions or feedback of someone non-Asian opened their eyes and minds to new information about their surroundings and themselves. The impact of these individuals believing in them and supporting them opened them up to opportunities they had not thought of before.
  - Passion for teaching and developing others
    - The leaders shared the passion of mentoring others and sharing their experiences with others
- Advice from interviewees
o Ask questions and learn about what’s right for you
o Don’t fear your strengths
o Develop your communication skills
o Be flexible and humble
o Be true to yourself

III. CONSIDERATIONS FOR BECOMING SUCCESSFUL LEADERS IN LAW


  • 5 Traits of Great Leaders
    • Passion
    • Grit
    • Attitude
    • Selflessness and Self-awareness
    • FOCUS – Frame the mission, Observe the environment, Communicate the mission, Understand your team fully, and Stay the course

  • Challenges Leaders Face
    • Manage “complainers” and challenge them to come up with workable solutions to problems raised
    • Learn to “market” and build relationships
    • Getting members of your entity to work together as opposed to against one another. First, take responsibility as a leader. Second, Ask how you can help others achieve their goals. Third, Describe consequences if others don’t contribute as team members.

  • Increasing Your Influence
    • Be a good listener
    • Don’t be afraid to speak up
    • Be curious
    • Be consistent
    • Be positive
    • Be the kind of support you would want to have
    • Be a confidante who can be trusted
    • Give lots and lots of praise
    • Paying your dues
    • Be fair
    • Don’t pull the ladder up behind you

  • Six Essential Qualities of the Leader Communicator
    • Think before you speak
    • When you communicate, be specific
    • Actions speak louder than words
    • Lead with a servant’s heart
    • Leadership communication is a dialogue
    • Develop and keep the trust of those you lead
• **Leadership in Public Service**
  • Factors Affecting Leadership in Public Service
    o Purpose is different from private sector – purpose of government is to provide for the greatest good for the greatest number of people, to promote justice, to maintain public order, to regulate interests, and to promote the general welfare.
    o Politics and election cycles are overriding factors that confront public sector leaders
    o Public sector decision making processes are different from private sector decision making processes. Be familiar with the rules, tradition, and inertia of government processes; timing can be everything. Policy initiatives can be derailed by adversaries who know and take advantage of rules.
    o Special interests are often involved in issues.
    o Leadership in public service is greatly affected by the media.
    o Most important factors for leadership are character, understanding the role of leadership, people skills, communication skills, and executive decision-making.
  • Call to action for those seeking leadership:
    ▪ First, make a strategic plan to set forth your own goals
    ▪ Second, make a tactical plan with concrete steps that are small enough that they can be executed and acted upon that will lead you to your goals. Break down your goals and decide what 5-10 action items you could engage in to help to realize those goals.
    ▪ Third, take action! Begin executing your plan and hold yourself accountable for following through with the action plan you devised. Put a timetable on your plan and try to keep to it.
    ▪ Fourth, periodically review your plan, your action items, and how it is going. Adjust and change your plan if things are not working out as you want.
    ▪ Your journey as a leader is a marathon, not a sprint.
    • Research consistently shows that the most powerful motivator in any organization is the opportunity to learn, to grow in responsibility, to contribute to a group effort or cause and to have their leaders recognize them for those contributions.
    • Provide clear, up-front expectations and regular feedback. Be clear and direct.
    • How to provide good feedback:
• Catch your people doing something right, and praise them immediately and publicly. Put your praise in context for how it helped some larger effort at your organization.

• When your people fall short, address it constructively with them: immediately, privately and in person.
  o Start by asking questions of the person to spark their own introspection
  o Guide them to the constructive lesson you want them to take from the experience, and be clear and specific for how they can improve.
  o Provide your true view of their performance, but emphasize its tie only to this specific shortfall. Then, end on a positive. Rarely (read: never) is a performance an unvarnished failure. Point out a success, reaffirm how well you think of them generally (which you should have been telling them all along) and emphasize that you have moved on from the feedback and that they should, too.

• Be introspective and give yourself honest feedback

IV. COPIES OF REFERENCED RESEARCH MATERIALS ATTACHED
A Portrait of Asian Americans in the Law

ERIC CHUNG
SAMUEL DONG
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YALE LAW SCHOOL
NATIONAL ASIAN PACIFIC AMERICAN BAR ASSOCIATION
2017
Cover Images:

Legal staff at Poston Camp No. 1, Jan. 4, 1943. From left to right: Cap Tamura, Franklyn Sugijama, Tom Masuda, Elmer Yamamoto, Saburo Kido. Mr. Kido was the National President of the Japanese American Citizens League. Photographer: Francis Stewart. Poston, Arizona.

Congresswoman Patsy Mink. Photographer: Ralph Crane. © Time Inc.

You Chung Hong in New Chinatown, 1950s. The Huntington Library, Art Collections, and Botanical Gardens.

These images, drawn from a limited historical record, provide a few examples of pathbreaking Asian American lawyers. But they do not represent the full diversity of the forebears of today’s Asian American legal community.

Design: Isometric Studio
A Portrait of Asian Americans in the Law

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EXECUTIVE SUMMARY
BACKGROUND AND PURPOSE OF THE STUDY
STUDY DESIGN
MAJOR FINDINGS

- Law School
- Clerkships and Transition to Practice
- Law Firms
- Prosecutors and Public Defenders
- Government Attorneys
- Judges
- Legal Academia
- Career Satisfaction and Aspirations
- Obstacles to Professional Advancement
- Mental Health

DISCUSSION

ACKNOWLEDGMENTS
NOTES
Executive Summary

Asian Americans are not new to the legal profession. But as we were reminded in 2015 when the California Supreme Court granted posthumous bar membership to a Chinese applicant denied admission in 1890, Asian Americans long faced exclusion from the legal profession, which rendered them subjects of the law but not its architects or practitioners. Today, Asian Americans make up a significant number in law schools and the legal profession writ large. Within the span of a generation, Asian Americans have become a visible presence in all sectors of the legal profession. They work as big firm lawyers, small firm or solo practitioners, government attorneys, corporate counsel, prosecutors, public defenders, judges, and more. The participation of Asian Americans in the legal profession has reached levels unthinkable just 30 years ago.

*A Portrait of Asian Americans in the Law* provides a systematic account of how Asian Americans are situated in the legal profession.

Since 2000, the number of Asian American lawyers has grown from 20,000 to 53,000 today, comprising nearly 5% of all lawyers nationwide. Through wide-ranging data analysis, focus groups, and a national survey, we have assembled a comprehensive portrait documenting the rise of Asian Americans in the law, their distribution across practice settings, and the challenges they face in advancing to the top ranks of the profession. Our key findings include the following:

— Over the past three decades, the number of Asian Americans in law school has quadrupled to roughly 8,000, now comprising nearly 7% of total enrollment—the largest increase of any racial or ethnic group.

— But since 2009, Asian American first-year enrollment has fallen by 43%—the largest decline of any racial or ethnic group. The number of Asian Americans who entered law school in 2016 was the lowest in more than 20 years.

— After law school, Asian Americans are more likely than other racial or ethnic groups to work in law firms or business settings, and they are least likely to work in government. Few Asian Americans report that gaining a pathway into government or politics was a primary reason they attended law school.
Although Asian Americans comprised 10.3% of graduates of top-30 law schools in 2015, they comprised only 6.5% of all federal judicial law clerks.

For nearly two decades, Asian Americans have been the largest minority group in major law firms. But they have the highest attrition rates and the lowest ratio of partners to associates among all groups.

Although a significant number of Asian Americans serve as line prosecutors and government attorneys in some agencies and jurisdictions, their numbers dwindle at the supervisory level. In 2016, there were only 3 Asian Americans serving as United States Attorneys, and in 2014, there were only 4 Asian Americans serving as elected district attorneys nationwide.

Despite recent progress, only 25 Asian Americans serve as active Article III judges, comprising 3% of the federal judiciary. Asian Americans comprise 2% of state judges.

Many Asian American attorneys report experiencing inadequate access to mentors and contacts as a primary barrier to career advancement.

Many Asian American attorneys report implicit bias and stereotyped perceptions as obstacles to promotion and advancement. Among Asian American attorneys, women are more likely than men to report experiencing discrimination on the basis of race.

Asian American attorneys may experience mental health challenges at a higher rate than the legal profession as a whole.

Overall, Asian Americans have penetrated virtually every sector of the legal profession, but they are significantly underrepresented in the leadership ranks of law firms, government, and academia. Our study provides a descriptive account of this central finding, laying the groundwork for future exploration of causal mechanisms and potential solutions. Asian Americans have a firm foot in the door of the legal profession; the question now is how wide the door will swing open.
Background and Purpose of the Study

Over the past three decades, Asian Americans have dramatically increased their presence in the legal profession. In 1983, there were around 2,000 Asian American and Pacific Islander students enrolled across all ABA-accredited law schools, comprising less than 2% of total enrollment. By the mid-2000s, Asian American and Pacific Islander enrollment had increased more than five-fold to over 11,000 students. The number of Asian American lawyers has more than doubled since the year 2000. There are now over 53,000 lawyers who are Asian American, comprising 4.7% of all lawyers in America. The number of Asian American lawyers will keep growing for at least another decade as the size of the cohorts coming into the profession continues to exceed the size of the cohorts aging out.

FIGURE 1.
NUMBER OF ASIAN AMERICAN LAWYERS, 2000–2015

Although the American Bar Association and other groups regularly publish data on diversity in the legal profession, there has not yet been a comprehensive study of the career paths of Asian American law students and lawyers. Perhaps the closest effort is the wide-ranging longitudinal study, *After the JD*, which examines the career paths of a national cohort of nearly 4,000 lawyers, including more than 200 Asian Americans. Building on that study and others, this project—*A Portrait of Asian Americans in the Law* (the Portrait Project)—is an initial effort toward a systematic understanding of how Asian Americans are situated in the legal profession. We aim to describe the rise of Asian Americans in the law as well as the incentives and choices that influence their career paths. This information is intended to provide an empirical grounding for broader conversation within and beyond the Asian American community about the unique challenges and opportunities Asian Americans face in the legal profession and possible directions for reform.

We address five broad sets of questions:

1. **How are Asian Americans distributed across law schools and the legal profession?** In what sectors and positions are they overrepresented or underrepresented?

2. **What factors influence how Asian Americans are distributed in the legal profession?** What motivations or aspirations do Asian Americans have when they decide to attend law school? What incentives and obstacles—familial, societal, financial, or professional—affect the career decisions of Asian American law students and lawyers? What stereotypes do they face in navigating the legal profession? In what ways do they seek to counter or assimilate to those stereotypes?

3. **Are Asian American lawyers satisfied with their careers?** With what aspects of their careers are they most satisfied? Least satisfied? Does their career satisfaction vary over the course of their career?

4. **To what extent have Asian Americans achieved positions of leadership that enable them not only to practice and implement the law, but also to shape the law and the legal profession?**

5. **To what extent do Asian American lawyers experience mental health challenges?** How do they compare on this dimension to the profession as a whole? How often do Asian American lawyers seek treatment?
Study Design

Our study has three main components.

First, we canvassed and synthesized a broad array of existing information on Asian Americans in the law as well as literature on diversity in law schools and the legal profession. We also collected data through specific requests to government agencies and other organizations. This wide-ranging effort enabled us to assemble comprehensive statistics on Asian Americans in law schools and various sectors of the legal profession.

Second, we conducted 12 focus groups with 77 Asian American attorneys at the November 2015 convention of the National Asian Pacific American Bar Association (NAPABA) in New Orleans. We organized the focus groups by practice setting (large law firms, mid-size law firms, small firms, solo practitioners, nonprofit, government, corporate counsel, judges, prosecutors/public defenders, and students), with 4 to 12 participants in each group. The focus groups, each lasting one hour, used a standard script examining motivations for pursuing a legal career, experiences in law school, influences affecting career choices, obstacles to professional advancement, perceptions of discrimination, and the role of Asian American identity and affinity groups. Through the focus groups, we gained qualitative insights that informed our statistical findings and guided our construction of a survey instrument.

Third, we disseminated a 68-item survey (Portrait Project Survey or PPS) through NAPABA and affiliated networks to collect information from a larger population of Asian American lawyers. From each respondent, the survey gathered data on basic demographics, political participation, law school experiences, career choices and experiences in the legal profession, and future aspirations. Throughout this report, we have included quotes from both our focus group sessions and responses to our survey’s open-ended questions.
We received completed surveys from 606 respondents comprising:

- 57% women and 43% men;
- 11% under age 30, 41% ages 30–39, 30% ages 40–49, 12% ages 50–59, and 7% ages 60 and above;
- 66% born in the United States and 34% born abroad;
- 35% Chinese, 22% Korean, 11% Filipino, 11% Japanese, 10% Taiwanese, 8.3% Vietnamese, 7.8% Indian, and 6.5% other ethnicities;
- 26% with neither parent having a bachelor’s degree, 21% with both parents having graduate degrees, and 5.5% with at least one parent having a law degree;
- 61% Democrat, 9% Republican, 12% Independent, and 12% with no political party registration;
- and
- 46% in law firm or solo practice, 25% in government, 20% corporate counsel, and 6% in nonprofit organizations or academia.

Fifteen respondents reported graduation dates of 2017 or later, indicating that they were law students at the time of the survey. We have omitted their responses to questions on current employment.

Because there are no population-wide data on many of the characteristics above, it is unclear whether the survey respondents comprise a representative sample of all Asian American lawyers. But it is significant that our sample comprises roughly 1% of Asian American lawyers nationwide and generally reflects Asian American enrollment trends over the past four decades. Given the size of our sample, we are able to make valid comparisons among survey respondents on a variety of dimensions. Our sample is likely skewed in one obvious way: Because we administered our survey through NAPABA and affiliated networks, and because respondents filled out the survey on a voluntary basis, it is likely that the respondents have a stronger interest in Asian American identity or more strongly value the opportunities afforded by Asian American affinity groups than the overall population of Asian American lawyers.

A brief word about terminology: We use the term “Asian American” and “Asian” in accordance with their usage by cited sources. The terms are not necessarily interchangeable and may reflect variation in the included subgroups. For example, the term “Asian” may include foreign nationals, and “Asian American” sometimes but not always includes Pacific Islanders. We also use the terms “Hispanic” and “Latino,” as well as “Black” and “African American,” in accordance with their usage by cited sources.
Over the past three decades, the enrollment of Asian Americans in law school has increased more than the enrollment of any other racial or ethnic group.

From a mere 1,962 students in 1983, Asian American enrollment rose to a peak of 11,327 in 2009 before declining to 8,975 in 2013. Whereas African American enrollment nearly doubled and Hispanic enrollment tripled from 1983 to 2013, Asian American enrollment more than quadrupled over that time. From 2003 to 2010, Asian Americans were the largest minority group attending law school, comprising 7% to 8% of total enrollment.12

“My parents were immigrant farmers; they got ripped off by people saying ‘the law didn’t allow this or that.’ I had to write documents for my parents, but I didn’t understand what I was doing. I felt motivated to understand this ‘thing’ that could be used against or for people.”
But since 2009, the enrollment of Asian Americans has declined more than the enrollment of any other racial or ethnic group, and the number of Asian Americans who entered law school in 2016 was the lowest in more than 20 years.

From 2009 to 2016, whereas total first-year enrollment declined by 28%, Asian American first-year enrollment declined by 43%, from 3,987 to 2,263. The Asian American share of first-year enrollment in 2016, at 6.1%, was the lowest since 1997. Meanwhile, since 2009, first-year enrollment has declined by 34% among whites and by 14% among African Americans, while it has increased by 29% among Hispanics.\(^{13}\)

We found no simple relationship between the extent of Asian American enrollment decline and law school tier. It is possible that the 2008–2009 recession and instability in the legal employment market, together with the relative attractiveness of other professions, have disproportionately deterred qualified Asian Americans from pursuing law school. One recent study suggests that some schools are combating enrollment declines by recruiting more African American and Hispanic students,\(^{14}\) which may help account for the decline of Asian American enrollment relative to other minority enrollment (but does not explain why Asian American enrollment has declined more steeply than white enrollment). Notably, the decline in Asian American enrollment since 2009 has not yet reached a plateau. This recent trendline deserves attention and further research.

Asian Americans are disproportionately enrolled in higher-ranked schools.

In 2015, 34% of Asian American law students were enrolled in the top quintile of schools (the top 30 schools) ranked by *U.S. News & World Report*, compared to 21% of white students, 15% of African American students, and 14% of Hispanic students. More than half of Asian American law students in 2015 attended a law school in the top two quintiles.\(^{15}\)
FIGURE 3.
MINORITY PERCENTAGE OF TOTAL J.D. ENROLLMENT BY TIER, 2015

SOURCE: American Bar Association; U.S. News & World Report

FIGURE 4.
DISTRIBUTION OF EACH RACIAL OR ETHNIC GROUP ACROSS TIERS, 2015

Very few Asian Americans report that one of their primary motivations for attending law school was to become influential or to gain a pathway into government or politics.

The motivations for attending law school that PPS respondents ranked as most significant were to develop a satisfying career, to challenge themselves intellectually, and to help individuals. Only 11% of PPS respondents indicated that one of their top three motivations for attending law school was to become influential; only 4.7% indicated that one of their top three motivations was to gain a pathway into government or politics. This is consistent with *After the JD*’s findings that Asians were less likely than other groups to indicate that an important reason they attended law school was to become influential and that Asians were far less likely than other groups to have considered politics as an alternative to a legal career. Only 14% of Asian respondents in the *After the JD* survey considered politics as an alternative career to law, compared to 34% of whites, 32% of blacks, and 27% of Hispanics.16

**FIGURE 5.**
**TOP 3 REASONS FOR ATTENDING LAW SCHOOL**

Respondents were asked to rank how significant each of the ten listed factors was in motivating their decision to attend law school. This figure shows how many respondents ranked each factor as one of their top three motivators for choosing law school.

**SOURCE:** Portrait Project Survey
The percentage of Asian Americans serving as judicial clerks has been stagnant over the past two decades.

In 1995, Asian Americans comprised 6.4% of federal clerks and 4.5% of state clerks. Twenty years later, that percentage is only up 0.1% for both federal and state clerks. Other minority groups have fared little better. African Americans made up 5.5% of federal clerks and 5.4% of state clerks in 1995 compared to 4.2% of federal clerks and 6.4% of state clerks in 2015. Hispanics comprised 3.4% of federal clerks and 2.1% of state clerks in 1995 compared to 3.5% of federal clerks and 4.6% of state clerks in 2015.

The share of judicial law clerks who are Asian American is markedly lower than the share of graduates from top schools who are Asian American.

In 2015, Asian Americans comprised 10.3% of graduates from the top 30 schools ranked in the *U.S. News & World Report*. However, they accounted for only 6.5% of federal law clerks and 4.6% of state law clerks. The shares of federal clerkships going to African Americans as well as the shares of federal and state clerkships going to Hispanics likewise trail their respective shares among top-30 law school graduates. By contrast, whereas 58.2% of students from top-30 schools were white, they obtained 82.4% of all federal clerkships and 80.2% of all state clerkships.

“I wish I could have found one or two people who would commit to mentoring me through law school, especially since there are no lawyers in my family or in my family’s immediate circle….I would have probably made much different choices with my career in the beginning had I known more about the industry.”
FIGURE 6.
TOP-30 LAW SCHOOL GRADUATES AND JUDICIAL CLERKSHPIS, 2015

SOURCE: American Bar Association; National Association for Law Placement; U.S. News & World Report

FIGURE 7.
MINORITY LAW CLERKS IN FEDERAL COURTS, 1993–2015

SOURCE: National Association for Law Placement

% OF TOTAL FEDERAL COURT CLERKS

15

ASIAN
BLACK
HISPANIC

1993 1995 1997 1999 2001 2003 2005 2007 2009 2011 2013 2015
The likelihood of clerking is positively associated with having more than two mentors in law school.

In our survey, 30% of respondents who had more than two mentors in law school obtained a clerkship, compared to 19% of respondents with one or two mentors, 21% of respondents who sought mentors but had none, and 15% of respondents who did not seek or have mentors. Whereas 12% of respondents with more than two mentors obtained a federal appellate clerkship, the same was true of 4.6% of respondents with one or two mentors, 2.4% of respondents who sought mentors but had none, and 3.0% of respondents who did not seek or have mentors.

It is not clear from these data whether mentoring increases the likelihood of obtaining a clerkship or whether students who seek mentors, successfully or not, are better clerkship candidates. Both may be true. We note that although respondents who had one or two mentors do not differ much in their likelihood of clerking compared to those who had no mentors, the substantially higher likelihood of clerking among those with more than two mentors is suggestive. It is possible that students who find more than two mentors are especially strong clerkship candidates, and it is also possible that a multiplicity of mentors increases the likelihood of obtaining a clerkship. More research is needed to distinguish these hypotheses and their relative influence on outcomes.¹⁸

“My most important mentor was one of my law school professors. She taught me important research and writing skills and helped me develop my advocacy skills. She also wrote me letters of recommendation for my prior internships and my current job. She was, and continues to be, my biggest supporter, mentor and friend.”
Compared to other groups, Asians graduate from law school with the lowest level of debt and the highest average salaries.

The After the JD study found that the average law school debt for Asians was $66,254, compared to $70,993 for whites, $72,875 for Blacks, and $73,258 for Hispanics. Fourteen percent of Asians graduated with no debt, compared to 19% of whites, 6% of Blacks, and 5% of Hispanics. Two years after bar admission, the mean salary was $96,000 for Asians, compared to $82,000 for whites, $79,000 for Blacks, and $77,000 for Hispanics and Native Americans.

**FIGURE 9.**
**MEAN LAW SCHOOL DEBT AND SALARIES, 2002**

*SOURCE: After the JD*

<table>
<thead>
<tr>
<th></th>
<th>ASIAN</th>
<th>BLACK</th>
<th>HISPANIC</th>
<th>WHITE</th>
</tr>
</thead>
<tbody>
<tr>
<td>MEAN LAW SCHOOL DEBT</td>
<td>$66,254</td>
<td>$72,875</td>
<td>$73,258</td>
<td>$70,993</td>
</tr>
<tr>
<td>MEAN SALARIES 2 YEARS AFTER BAR ADMISSION</td>
<td>$96,000</td>
<td>$79,000</td>
<td>$77,000</td>
<td>$82,000</td>
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In the initial years after bar admission, Asians are more likely than other groups, except whites, to work in private law firms or other business settings, and they are the least likely to work in government.

In the After the JD sample, 70% of Asians worked in law firms or business settings two years after bar admission, compared to 72% of whites, 52% of Blacks, and 58% of Hispanics. By contrast, 14% of Asians worked in government, compared to 16% of whites, 27% of Blacks, and 21% of Hispanics.

In those initial years, Asians report the lowest level of satisfaction with their decision to become a lawyer.

According to After the JD, Asian American respondents averaged about a 3.8 out of 5 on career satisfaction compared to Hispanic respondents, who averaged 3.9 out of 5, and black respondents, who had the highest satisfaction scores and averaged 4.3 out of 5. After the JD reports that Asians were more likely than all other groups to report a desire for more or better training, more or better mentoring, greater opportunity to shape decisions, and less pressure to bill.
FIGURE 10.
JOBS 2 YEARS AFTER BAR ADMISSION, 2002

SOURCE: After the JD

ASIAN

HISPANIC

BLACK

WHITE

70% Private

58% Private

52% Private

72% Private

14% Govt

21% Govt

27% Govt

16% Govt

7% Nonprofit

5% Nonprofit

4% Nonprofit

7% Nonprofit

Other

Other

Other

Other

Nonprofit

Govt

Nonprofit

Govt
For nearly 20 years, Asian Americans have been the largest minority group at major law firms.\textsuperscript{26}

In the National Association for Law Placement’s 2016 report on major U.S. law firms, Asians comprised 7.0\% of attorneys, whereas Hispanics comprised 3.3\% and African Americans comprised 2.9\%.\textsuperscript{27} Law360’s survey of over 300 firms found that in 2015, Asian Americans comprised 6.5\% of U.S.-based attorneys, whereas Hispanics comprised 3.4\% and African Americans comprised 2.9\%.\textsuperscript{28} A 2015 survey of 225 law firms by Vault and the Minority Corporate Counsel Association (Vault/MCCA) reported that Asian Americans comprised 11.4\% of associates and 13.8\% of summer associates, African Americans or Blacks comprised 4.22\% of associates and 6.97\% of summer associates, and Hispanics or Latinos comprised 4.77\% of associates and 5.47\% of summer associates.\textsuperscript{29}

Asian Americans have the highest ratio of associates to partners of any racial or ethnic group, and this has been true for more than a decade.\textsuperscript{30}

In 2015, the ratio of associates to partners in the 225 firms surveyed by Vault/MCCA was 3.70 for Asian Americans, compared to 2.22 for African Americans or Blacks, 1.92 for Hispanics or Latinos, and 0.86 for whites.\textsuperscript{31} Law360’s survey of 289 firms similarly reported that in 2014 the ratio of non-partners to partners was 3.59 for Asian Americans, 2.37 for Blacks, 1.89 for Hispanics, and 0.98 for whites.\textsuperscript{32}

We do not address whether these data reflect differences in the age distribution of attorneys belonging to each group. It is possible that the high ratio of associates to partners for Asian Americans is partly a function of how recently this group has entered the legal profession in substantial numbers. At the same time, as discussed below, Asian Americans have high attrition rates in law firms and reported significant obstacles to career advancement in our survey.
FIGURE 11.
RATIO OF ASSOCIATES TO PARTNERS, 2015

source: Minority Corporate Counsel Association & Vault Law Firm Diversity Database

Compared to their numbers within the overall law firm population, Asian Americans are less well represented than other groups at the management level.

Although Asian Americans comprised 7.05% of all attorneys in the Vault/MCCA survey of 2015 data, they held 2.09% of seats on executive management committees, 2.32% of seats on partner review committees, and 3.78% of seats on associate review committees. African Americans, Hispanics, and whites were better represented in these leadership roles relative to their respective numbers in the overall firm population.

Among Asian Americans, although women outnumber men among law firm associates, men outnumber women by almost twofold at the partner level.

In the Vault/MCCA survey of 2014 data, 56% of Asian American associates were women, while 36% of Asian American partners were women. Among Blacks or African Americans, 58% of associates were women and 37% of partners were women, and among Hispanics or Latinos, 48% of associates were women and 30% of partners were women. The ratio of men to women at the partner rank is less skewed among minority groups; across all groups, male partners outnumber female partners by more than three to one. But there are signs of change: Among the 104 Asian Americans promoted to partner in the 2014 survey, 58 were women and 46 were men.
The attrition rate for Asian Americans, as for other minority groups, is disproportionately high.

Whereas Asian Americans, Blacks or African Americans, and Hispanics or Latinos comprised 6.7%, 3.1%, and 3.5% of all attorneys, respectively, in the Vault/MCCA 2014 survey, they comprised 8.9%, 4.9%, and 4.3% of attorneys, respectively, who left their firms that year. Vault/MCCA’s 2015 survey revealed that 14% of Asian American attorneys left their firms that year, compared to 16% of Blacks or African Americans, 11% of Hispanics or Latinos, and 10% of whites/Caucasians. According to *After the ID*, the number of Asian Americans working in firms with over 100 attorneys declined by 68% over the decade from 2 to 12 years after bar admission, compared to a 61% decline among Blacks, a 44% decline among Hispanics, and a 53% decline among whites.
The number of Asian Americans dwindles at the supervisory level and is vanishingly small among United States Attorneys and elected district attorneys.

— Among the 94 United States Attorneys in office in 2016, there were 3 Asian Americans: one in Hawai’i, one in Guam and the Northern Mariana Islands, and one in the Southern District of New York.⁵⁰

— In 2015, among the 769 full-time supervisory prosecutors in California, 9.0% were Asian American or Pacific Islander, 6.6% were Black, and 11% were Latino.⁵¹ Among 52 counties composing nearly 98% of California’s population, there was only 1 elected district attorney who is Asian or Pacific Islander.⁵²

In some jurisdictions, significant numbers of Asian Americans serve as line prosecutors.

— In 2014, among 5,508 Assistant U.S. Attorneys nationwide, 5.2% were Asian, 8.0% were Black or African American, and 5.2% were Latino.⁴²

— In 2015, among 2,996 full-time line prosecutors in county district attorney’s offices throughout California, 12.6% were Asian or Pacific Islander, 5.6% were Black, and 9.1% were Latino.⁴³ Asians comprise nearly 15% of the California population.⁴⁴

— In 2016, among 429 staff attorneys in the Manhattan District Attorney’s office, 8.6% were Asian, 10% were Black or African American, and 6.1% were Hispanic or Latino.⁴⁵ Asians comprise nearly 13% of the Manhattan population.⁴⁶

— In California, women significantly outnumber men among line prosecutors who are Asian or Pacific Islander.⁴⁷ The same is true for Black or African Americans, and the opposite is true for whites.⁴⁸ In the Manhattan District Attorney’s office, women significantly outnumber men among line prosecutors for all three of these groups.⁴⁹

Prosecutors and Public Defenders

MAJOR FINDINGS
— In 2016, among the 161 supervising attorneys in the Manhattan District Attorney’s office, 4.3% were Asian American, 7.5% were Black or African American, and 6.2% were Hispanic or Latino.\(^3\)

— A 2014 survey identified only 10 Asian Americans among the 2,437 elected prosecutors in the nation.\(^4\) We independently sought to identify these 10 and, in so doing, found that only 4 of the 10 are actually Asian American. By comparison, the survey identified 64 African American and 41 Hispanic elected prosecutors. The vast majority of elected prosecutors in America—95% in the survey—are white.

There are no systematic data currently available on the demographics of public defenders.

Although the U.S. Department of Justice conducts an ongoing Census of Public Defender Offices, this data collection does not include attorney demographics.\(^5\) As of 2016, the Justice Department was developing a survey instrument to collect information on public defenders nationwide, including demographic data.\(^6\)
Government Attorneys

Over the past decade, Asian Americans have occupied an increasing share of attorney positions in the federal government.

According to 2015 data compiled by the U.S. Equal Employment Opportunity Commission, Asians comprised 6.7% of attorneys in 68 federal agencies, whereas Blacks comprised 8.3% and Hispanics or Latinos 4.8%. Men outnumbered women by a ratio of 1.3 to 1 among white attorneys, while women outnumbered men by a ratio of 1.4 to 1 among Asians, by 1.9 to 1 among Blacks, and by 1.1 to 1 among Hispanics or Latinos. In 6 of the agencies with the largest numbers of attorneys, the share of attorneys who are Asian increased from 4.2% in 2005 to 6.4% in 2015.

The U.S. Department of Justice, the leading federal agency responsible for setting law enforcement and legal policy priorities, has the largest number of attorneys but a low percentage of Asian Americans compared to other agencies.

In 2015, Asian Americans comprised 5.7% of attorneys in the U.S. Department of Justice and 5.5% of attorneys in the Executive Office of the U.S. Attorneys, compared to 7.5% across all other agencies. Among senior level positions in the Justice Department as of 2011, the percentage of Asians was even smaller at 3.1%.
The percentage of attorneys who are Asian American dwindles at higher ranks of government.

In 2016, Asians made up 9.0% of GS-11 federal government attorneys, but only 5.6% of GS-15 attorneys (the highest civil service pay grade) and 5.2% of non-GS attorneys with annual salaries over $150,000.\(^{61}\)
The number of Asian Americans on the federal bench has increased over the past decade but remains small.

Only 37 Asian Americans have ever served as Article III judges. Among them, 25 are currently serving as active judges—19 as federal district judges, 5 as federal circuit judges, and 1 as a judge on the U.S. Court of International Trade—comprising 3.4% of the 744 authorized active federal judges, compared to 536 (72%) for whites, 106 (14.2%) for African Americans, and 79 (10.6%) for Hispanics. In 2016, there were 47 Asians serving as federal administrative law judges, less than 3% of the total.
Asian Americans are less well represented among state judges than among federal judges.

In 2014, Asian Americans made up approximately 2% of 10,295 surveyed judges serving on a state appellate court or general jurisdiction trial court, compared to 82.7% for white non-Hispanics, 7.9% for African-Americans, and 5.2% for Hispanics. Forty states did not have a single Asian American judge serving on a state appellate court, and 21 states did not have a single Asian American judge serving on a state appellate court or general jurisdiction trial court. Asian Americans made up less than 1% of state appellate or general jurisdiction trial judges in another 12 states, including several with significant Asian American populations (e.g., Illinois, Maryland, New York, and Virginia). Among the 334 state high court judges in the nation, we are aware of 8 Asian Americans.

Hawai‘i and California have the most Asian American judges.

Over three-quarters of Hawai‘i’s state judges are Asian American. In 2015, 108 (or 6.5%) of California’s 1,674 judges were Asian, 110 (or 6.6%) were African American, and 165 (or 9.9%) were Hispanic or Latino. In 2014, only 22 (or 1.8%) of New York’s 1,250 judges were Asian American.
Major Findings

Legal Academia

Although Asian Americans have made inroads into legal academia, their numbers remain low.

In 2013, among the 8,848 full-time law teachers in the United States, 383 (or 4.3%) were Asian American. Among the 6,907 professors in tenured or tenure-track positions, 310 (or 4.5%) were Asian American. By comparison, there were only 61 tenure-track or tenured Asian American law professors in 1992.

There are few Asian Americans in the ranks of academic administration and leadership.

In 2013, there were 3 Asian Americans among the 202 law deans in the country and 18 Asian Americans among the 709 associate or vice deans.

Figure 16.
Law School Faculty and Administrators, 2013

Source: American Bar Association
Among PPS respondents, those who work as judges, prosecutors, or government lawyers expressed the greatest satisfaction with their work, while those who work in law firms expressed the least satisfaction.

This is consistent with other research finding that lawyers in public service jobs report greater happiness and less alcohol consumption than lawyers in more lucrative private practices.  

FIGURE 17. SATISFACTION WITH CHOOSING LAW

We asked respondents how satisfied they were with their current employment. This figure shows the percentage of respondents per type of employment who answered “very satisfied.”

SOURCE: Portrait Project Survey
A majority of PPS respondents (58%) indicated they wished to change practice settings, citing as their top reasons a desire for a better match with their interests, higher salary, work-life balance, and geographic location.

The lowest-ranked reasons were to participate or gain influence in the political process, prestige, to address the needs of underserved communities, and to advance issues or values important to the respondent. Over two-thirds of PPS respondents who work in law firms, compared to half of those who work in government and 39% of those who work as corporate counsel, said they would like to change practice settings.

Among PPS respondents who wished to change practice settings, the settings most often identified as desirable were corporate counsel, the federal government, and nonprofit/public interest organizations.

A substantial number of respondents indicated interest in state government, academia, or the judiciary. Few respondents indicated interest in becoming a prosecutor or public defender/legal aid worker.
MAJOR FINDINGS

Obstacles to Professional Advancement

When asked to identify barriers to career advancement, PPS respondents most often cited inadequate access to mentors and contacts, lack of formal leadership training programs, and lack of recognition for their work.

Respondents who work in law firms were more likely than other respondents to indicate inadequate access to mentors and contacts, colleagues' lack of willingness to work together, and insufficiency of good assignments as significant barriers to career advancement.

Women were more likely than men to report experiencing barriers to career advancement.

Among PPS respondents, 88% of women reported at least one barrier to career advancement, compared to 79% of men. The gender disparity was more pronounced for certain obstacles: 37% of women, compared to 24% of men, cited family demands, including caring for children or aging parents, and 41% of women, compared to 31% of men, cited lack of recognition for their work. These disparities are statistically significant and persist after controlling for age, ethnicity, immigrant generation, sexual orientation, and law firm employment.

“As an APA litigator, I believe that I am not selected for certain assignments (e.g., oral argument) because I am not seen as having enough 'presence' to effectively advocate in court.”

“Being an Asian woman added another layer as men were often more interested in expressing themselves as romantic prospects as opposed to colleagues.”
When asked what behaviors they exhibited in the workplace in considering their racial identity and possible discrimination, PPS respondents most commonly reported they “sometimes” sought out association with other Asian Americans for support.

On average, PPS respondents reported they did not often try to downplay traits that may bring attention to their Asian identity or avoid association with other Asian Americans. This is unsurprising since we conducted the survey through NAPABA and affiliated networks. Asian Americans who join these organizations are presumably inclined to embrace their racial identity, and they have voluntarily sought to associate with other Asian Americans for support and networking. Women were more likely than men to seek association with other Asian Americans and to seek association with other (non-Asian) identity groups for support.
According to PPS respondents, Asian Americans perceive the legal profession as associating them with certain stereotypical traits.

Many respondents reported being perceived as hardworking, responsible, logical, careful, quiet, introverted, passive, and awkward. By contrast, few respondents reported being perceived as creative, assertive, extroverted, aggressive, or loud. We found very few statistically significant differences in these reported perceptions across practice settings, which suggests the pervasive nature of these stereotyped perceptions.

"Asians work hard and do not say no to their superiors. With that, somehow I was the only one staying back to cover the team assignments when the others went out for yoga and wine."

**FIGURE 19.**
**TRAITS ASSOCIATED WITH ASIAN AMERICAN LAWYERS**

We asked survey respondents which of these traits they believed the legal profession associated with Asian American lawyers. This figure shows the number of respondents who answered that a certain trait was "very often" or "often" associated with Asian American lawyers.

**SOURCE:** Portrait Project Survey
Most PPS respondents did not perceive overt discrimination in the workplace because of their racial identity.

Approximately 71% of those who answered said they rarely or never perceive overt discrimination in the workplace, 24% said they sometimes do, and 6% said they often or always do. Government attorneys were less likely to say they perceive overt discrimination than non-government attorneys.

“When I sent out 30 [resumes] with my Asian last name, [I] got zero callbacks. Sent one out with [my] married name, same resume, got about 10 callbacks.”

Most PPS respondents do perceive implicit discrimination in the workplace because of their racial identity.

Approximately 20% of those who answered said they often or always perceive implicit discrimination in the workplace, 38% said they sometimes do, and 43% said they rarely or never do.
Perceptions of discrimination differ by gender.

Among PPS respondents who answered the survey questions about perceptions of discrimination, 32% of women reported experiencing overt discrimination on the basis of race sometimes, often, or always at the workplace, compared to 26% of men, and 61% of women reported experiencing implicit discrimination on the basis of race sometimes, often or always at the workplace, compared to 53% of men. These disparities are statistically significant and persist after controlling for age, ethnicity, immigrant generation, sexual orientation, and law firm employment.

“I’m an immigration lawyer. When I go to immigration court, I’m mistaken for the alien. When I go to jail to visit a client, I’m mistaken for their girlfriend.”
FIGURE 22.
PERCEPTIONS OF OVERT DISCRIMINATION, BY GENDER

SOURCE: Portrait Project Survey

FIGURE 23.
PERCEPTIONS OF IMPLICIT DISCRIMINATION, BY GENDER

SOURCE: Portrait Project Survey
MAJOR FINDINGS

Mental Health

A substantial minority of PPS respondents reported moderate to severe mental health challenges during their legal careers.

Among respondents who answered the question, 36% reported moderate to severe anxiety, 22% reported moderate to severe insomnia, and 20% reported moderate to severe depression. Controlling for other factors, women were more likely than men to experience mental health challenges in law school and during their legal careers.

FIGURE 24.
MENTAL HEALTH CONCERNS DURING LEGAL CAREER

This figure shows how many respondents reported experiencing each mental health challenge at either moderate (light blue) or severe (dark blue) levels.

SOURCE: Portrait Project Survey
Asian American lawyers may experience mental health challenges at a higher rate than the legal profession as a whole.

A recent study of 12,825 American lawyers in the United States found that 61% reported anxiety, 46% reported depression, and 8% reported panic disorder (defined as recurring panic attacks), whereas 72% of PPS attorney respondents who answered the question reported anxiety, 52% reported depression, and 23% reported panic attacks. However, PPS respondents may be less likely to experience alcohol or other substance abuse problems than the general attorney population. Whereas 11% of PPS respondents who answered the question reported alcoholism and 4% reported other drug abuse at mild, moderate, or severe levels, 23% of respondents in the national study reported that their use of alcohol or other substances had been problematic at some point in their lives.

Controlling for other factors, PPS respondents who work in law firms were 41% more likely than non-law firm respondents to report moderate or severe anxiety.

We found no statistically significant difference between private and public sector respondents on reported anxiety when controlling for law firm employment.

Controlling for other factors, PPS respondents with at least one parent with a law degree were 46% less likely than respondents with at least one parent with a college degree to report moderate or severe anxiety in law school.

Conversely, PPS respondents with at least one parent who did not graduate high school were 29% more likely than respondents with at least one parent with a college degree to report moderate or severe anxiety in law school. Interestingly, PPS respondents with at least one parent with some college but no degree were 31% less likely than respondents with at least one parent with a college degree to report moderate or severe anxiety in law school.

“It didn’t occur to me that I needed to, or should, seek treatment. I thought it was par for the course for lawyers to feel overly stressed, anxious, and unhappy about their work situation.”

“Ital[ed] access to professionals who understand Asian American mental health concerns.”
Most PPS respondents who reported serious mental health challenges did not seek help or treatment.

Among respondents who reported mild, moderate, or severe panic attacks, alcoholism, drug abuse, or eating disorders, or who reported moderate or severe anxiety, depression, or insomnia, 68% did not seek help or treatment. Women were more likely than men to seek help during their careers.

"Treatment is not a cure. Success is the cure."

**FIGURE 25. SEEKING PROFESSIONAL HELP OR TREATMENT**

source: Portrait Project Survey
Discussion

Our study documents the dramatic rise of Asian Americans in the legal profession over the past generation.

From the mid-1990s to the mid-2000s, Asian American enrollment in law school grew faster than the enrollment of any other group. Since 2009, however, Asian American enrollment has dropped more precipitously than any other group. This recent decline deserves attention and careful study.

As a variety of indicators show, Asian Americans have a foot in the door in virtually every sector of the legal profession. Now the question is how wide the door will swing open. In earlier times, the influence of Asian Americans in the legal profession was largely constrained by their small numbers. Today, the constraints increasingly have to do with career pathways, incentives, and barriers to promotion. It is possible that age and lack of seniority account for some of the underrepresentation of Asian Americans at the top ranks of the profession. But our study suggests other challenges as well.

The barriers to career advancement facing Asian Americans lawyers are often subtle and not explicit, but they are nonetheless real.

One challenge has to do with perceptions. It is striking that across all sectors of the legal profession, Asian Americans report being perceived as hardworking, responsible, logical, and careful, but to a far lesser extent as empathetic, creative, extroverted, and assertive. Whereas Asian Americans are regarded as having the “hard skills” required for lawyerly competence, they are regarded as lacking many important “soft skills.”

A related challenge has to do with our finding that inadequate access to mentors and contacts was the most frequently cited barrier to career advancement among survey respondents. To the extent that mentoring and networking are conditioned by perceptions of sociability and conformity with cultural norms, Asian Americans may face particular obstacles rooted in stereotyped perceptions of being foreign, socially awkward, or unassimilable.

Several of our findings appear consistent with these challenges. Asian American law students are disproportionately enrolled in top-ranked schools, which reflects their strong performance on a key admission criterion, the Law School Admission Test (LSAT).
But Asian Americans do not obtain judicial clerkships in numbers comparable to their enrollment at highly ranked schools, and they are significantly underrepresented in the partner and leadership ranks of law firms. These selection processes—clerkships and law firm promotion—involves not only objective measures of ability, but also access to mentorship and subjective criteria such as likability, gravitas, leadership potential, and other opaque or amorphous factors that may inform whom judges, faculty members, or law firm partners regard as their protégés. Asian Americans appear to face significant obstacles in these settings.

Another challenge has to do with the gravitation of Asian Americans toward business settings and law firm jobs, and the relative dearth of Asian Americans in various government, nonprofit, and academic settings. The skew toward law firm jobs may account for the higher salaries but also lower career satisfaction and higher frequency of mental health problems observed among Asian American attorneys. It is notable that few Asian Americans appear motivated to pursue law in order to gain a pathway into government or politics. This finding is consistent with the paucity of Asian American lawyers in the highest ranks of government, especially among top prosecutors and judges. Greater penetration into these public leadership roles is critical if the increasing number of Asian American attorneys is to translate into increasing influence of Asian Americans in the legal profession and throughout society. A major challenge is to encourage Asian American lawyers to pursue public service roles and to eliminate barriers for those who do.

Finally, although this study offers a comprehensive portrait of Asian Americans in the legal profession, further data collection and research are needed to deepen our understanding of observed disparities and potential interventions.

For example, to what extent is the high associate-to-partner ratio among Asian Americans at major law firms attributable to barriers to advancement versus attractive off-ramps to other opportunities? Is the number of Asian Americans obtaining judicial clerkships more heavily influenced by the hiring decisions of judges or by faculty mentorship and advising? What can be done to position more Asian Americans to serve as judges and top prosecutors? These are among the questions that merit additional research. Going forward, a key challenge is to enhance the portrait we have painted here in broad strokes with more focused and ongoing study of diversity in the legal profession by sector and by state or region. Such study is essential to raising awareness and motivating behavioral and institutional change.
Acknowledgments

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In re Hong Yen Chang, 344 P.3d 288 (Cal. 2015).


Asian or Pacific Islander J.D. Enrollment 1971–2010, supra note 2.


The rate of growth will decline, however, as the difference in size between new cohorts coming into the profession and older cohorts leaving the profession narrows.


These percentages add up to more than 100% because some respondents indicated more than one ethnicity.

A recent study of nearly half a million attorneys ("the most extensive analysis of the political ideology of American lawyers ever conducted") reported that on the whole "American lawyers

Not every respondent who completed the survey answered every item. When we report the percentage of respondents who gave a particular answer on a survey item, the denominator is the number of respondents who actually answered the item instead of the entire pool of 666.

By comparison, the cohort of lawyers studied in the first wave of the After the ID study included a sample of 254 Asian American attorneys. AID3 REPORT, supra note 7, at 21. Unlike our survey respondents, who reflect Asian American law school enrollment trends over the past four decades, the After the ID sample was drawn only from lawyers newly admitted to the bar in the year 2000. Id. at 16. As a result, the average age of attorneys in our sample is between 39 and 40, whereas the average age in the After the ID sample when surveyed in 2002–03 was 28.6. In addition, compared to the After the ID sample, our sample includes a higher percentage of respondents who have clerked, a higher percentage who have fathers with graduate or professional degrees, a higher percentage who work in government and a lower percentage who work in private law firms, a higher average of annual pro bono hours among attorneys in private practice, and a higher percentage of Democrats and lower percentage of Republicans. See id. at 11, 15 tbl.5, 24 tbl.10, 25 tbl.11, 64 tbl.4. Our sample resembled the After the ID sample in gender breakdown, percent who graduated from law school with no debt, and median level of student debt. See id. at 9 tbl.9, 58 tbl.36, 60 tbl.38.

Major Findings

We derived these figures by compiling and tabulating from data available from the American Bar Association (ABA), Section of Legal Educ. & Admission to the Bar, Statistics, A.B.A., http://www.americanbar.org/groups/legal_education/resources/statistics.html; Section of Legal Educ. & Admission to the Bar, Section of Legal Education–ABA Required Disclosures, A.B.A., http://www.abarequireddisclosures.org/ (providing Standard 509 Information Reports). The Asian American figures include the ABA’s separate tabulation of Native Hawaiians and Pacific Islanders.

See supra note 12. We obtained 2016 first-year enrollment data from the ABA’s compilation of Standard 509 Information Reports.


We derived these figures by compiling and tabulating from the ABA’s Standard 509 Information Reports and grouped law schools according to U.S. News & World Report’s 2015 rankings.


Data provided by the National Association for Law Placement upon request. We tabulated demographic data for the top 30 schools from Standard 509 Information Reports collected by the ABA.

Access to mentoring opportunities also warrants further study in light of evidence that faculty may be less responsive to mentoring requests from female students, minority students, and Asian American students in particular. See Katherine L. Milkman, Modupe Akinola & Dolly Chung, What Happens Before? A Field Experiment Exploring How Pay and Representation Differentially Shape Bias on the Pathway into Organizations, 6 J. APPLIED PSYCH. 1678 (2015).


Id.

WILDER, RACE AND ETHNICITY, supra note 16, at 36 tbl.18.

Id. at tbl.5.

Id.

Id. at 44 tbl.23.

Id. at 47 tbl.25.


See generally Minorities & Women, supra note 26.

MINORITY CORP. COUNSEL ASS’N & VAULT, supra note 29, at 11–12.


MINORITY CORP. COUNSEL ASS’N & VAULT, supra note 29, at 11, 23 tbl.1.

Id.


Id.

Id. at 41, tbl.5.

Id. at 11, 29 tbl.2.

Id. at 30 tbl.2; see also N.Y.C. BAR, DIVERSITY BENCHMARKING REPORT 2015, at 13 (2015) (surveying 75 law firms and reporting that among attorneys who left firms in 2015, 12% were Asian/Pacific Islander, 4% were Black/African American, and 5% were Hispanic).

MINORITY CORP. COUNSEL ASS’N & VAULT, supra note 29, at 10.

AID3 REPORT, supra note 7, at 74 tbl.9.1.


Id. at 26–28, 36–38. Data on line prosecutors were tabulated by subtracting counts of “Full-Time Supervisory Prosecutors” from counts of “Total Full-Time Prosecutors.” See id. at 25 (survey form).


The New York County District Attorney’s Office—New York, New York, Lawyer Demographics, NALP DIRECTORY OF LEGAL EMPLOYERS, https://shat.ex/ iUTYNA.


See supra note 43.

Id.

The New York County District Attorney’s Office—New York, New York, Lawyer Demographics, supra note 45.

This information was provided by the National Asian Pacific American Bar Association and only reflects Senate-confirmed United States Attorneys.

BIES ET AL., supra note 42, at 38.

Id. at 44–47. The report contacted the District Attorney’s Office for each of California’s 58 counties and ultimately obtained data for all but 6 of them. Id. at 8.

(Id. 44–47.)

The New York County District Attorney’s Office—New York, New York, Lawyer Demographics, supra note 45.


We obtained these data from the U.S. Equal Employment Opportunity Commission through a Freedom of Information Act request for the number of employees in legal occupations as categorized by the U.S. Office of Personnel and Management. These occupations included general attorneys, law clerks, administrative law judges, and adjudicators of hearings and appeals.


See supra note 57. “Attorneys” here refer to any of the aforementioned legal occupations as categorized by the Office of Personnel and Management.


History of the Federal Judiciary: Diversity on the Bench, WED. JUD. CTR., https://www.fjc.gov/history/judges/search/advanced-search; see also Active Asian American & Pacific Islanders Article III Judges, MINORITY CORP. COUNSEL. ASS’N (July 31, 2015), http://www.mcca.com/index.cfm/fuseaction=pageviewPage&pageID=2518&modeID=1. A number of judges identify with multiple racial or ethnic groups. As a result, the sum of each particular racial or ethnic group’s percentage of the total number of judges exceeds 100 percent when added together.

Diversity Cubes, supra note 61.

These data were provided by two researchers who created a database of and recently published a study on the demographics of judges in state courts. See TRACEY E. GEORGE & ALBERT H. YOON, AM. CONST. SOC’Y, THE GAVEL GAP, WHO SITS IN JUDGMENT ON STATE COURTS? (2016), http://gavelgap.org/pdf/gavel-gap-report.pdf.

They are Tani Cantil-Sakauye (California), Ming Chin (California), Goodwin Liu (California), Sabrina McKenna (Hawaii), Lynn Nakamoto (Oregon), Judith Nakamura (New Mexico), Paula Nakayama (Hawaii), and Mary Yu (Washington). We obtained the total number of state high court judges from a tabulation by the California Supreme Court library.

See supra note 64.

Demographic Data Provided by Justices and Judges Relative to Gender, Race/Ethnicity, and Gender Identity/Sexual Orientation, JUD. COUNCIL CAL. (2016), http://www.courts.ca.gov/documents/2016-Demographic-Report.pdf. These figures are based on the number of respondents who identify as “Asian Only,” “Black or African American Only,” and “White Only,” respectively. These counts could be higher when including respondents who identify as “More Than One Race,” such as Tani Cantil-Sakauye, California’s first Asian-Filipina American and current Chief Justice. Chief Justice Tani Cantil-Sakauye, CAL. JUD. BRANCH, http://www.courts.ca.gov/2664.htm.


Id.


Law School Staff: Fall 2013, supra note 69.


The percentages on perceptions of overt and implicit discrimination do not add up to 100 because of rounding.


Id. at 51.


Discussion

See, e.g., TOLD MY FAMILY TO GO BACK TO CHINA, Michael Luo, AN OPEN LETTER TO THE WOMAN WHO TOLD MY FAMILY TO GO BACK TO CHINA, N.Y. TIMES (Oct. 6, 2016), https://nyti.ms/2kDXX1l.
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Goodwin Liu
is an Associate Justice of the California Supreme Court. Before joining the court in 2011, he was Professor of Law and served as Associate Dean at the UC Berkeley School of Law (Boalt Hall).
Since the 1960s, Asian Americans have become the country’s “model minority,” largely due to significant increases in mobility that have mostly (though perhaps inaccurately) been attributed to education.

Asians do outperform other minorities and white people when it comes to education, employment, and income. According to 2010 data from the U.S. Department of Labor, Asians are better educated than other races, with more Asians age 25 and older having
graduated college (52%) than white people of the same age (32%); Asians have a lower unemployment rate (7.5%) than whites (8.7%); and Asians, on average, earn more per week ($855) than whites ($765). Yet this narrative around Asians’ success obscures the fact that they are underrepresented in leadership positions, a phenomenon referred to as the “bamboo ceiling.”

A highly cited 2015 report on diversity in Silicon Valley by an Asian professional organization found that at five big tech firms (Google, Hewlett-Packard, Intel, LinkedIn, and Yahoo), Asians and Asian Americans are well represented in lower-level positions but underrepresented at management and executive levels. Asian Americans (including Indians) are 27% of the workers in these companies, but only 19% of managers and 14% of executives. In contrast, whites represented 62% of professionals and 80% of executives in these firms. This is worse than the glass ceiling effect that’s been identified for women; in these five firms, men are 42% more likely to have an executive role than women, and white men and women are 154% more likely than Asians to hold an executive role. And Asians represent only 1.5% of corporate officer positions in the Fortune 500, according to 2012 data.

Why aren’t Asian Americans advancing into leadership positions? Based on the psychology literature, we believe that stereotypes about Asians contribute to the problem in two ways: Stereotypes about Asians being highly competent can make Asians appear threatening in the workplace, and stereotypes about Asians lacking social skills make them seem unfit for leadership.

**Stereotypes About Asian Americans**
People hold stereotypes about Asians, as they do with any racial group. In two separate studies (by Ho and Jackson in 2001 and by Lin and colleagues in 2005), participants generated lists of all stereotypes they had heard about Asians. Similar items were clustered together, and two main stereotypes emerged: Asians are particularly high on competence (they were seen as successful and intelligent) and low on social skill (nerdy, antisocial).
The 2001 study found that people who saw Asians as particularly high in competence experienced greater admiration of and envy toward Asians; those who saw Asians as particularly low on social skill displayed greater hostility toward and fear of Asians. The 2005 study demonstrated the effects of these reactions, showing that individuals who held stereotypical views of Asians were less likely to want to interact with or learn more about Asians. For example, both high-competence and low-sociability ratings of Asians were negatively correlated with individuals wanting to be roommates with an Asian person. The authors of both papers theorized that whites are threatened by the “unfairly high” levels of competence possessed by Asians and essentially use the stereotype that Asians lack social skill as a pretext for discrimination.

Prototypes for Leaders
More problematic is the inconsistency between Asian stereotypes and the traits people tend to value in leaders. While business leaders are often expected to be competent, intelligent, and dedicated, they are also expected to be charismatic and socially skilled — along with masculine and dictatorial or authoritarian. This puts at a disadvantage Asian Americans, who, like women, are often seen to fit low to midlevel management positions but not top-level leadership. (It’s even harder for Asian women — they comprise only 3.1% of executives in the five tech companies mentioned above, while Asian men comprise 13.5%.)

In three studies, published in 2010 in the Journal of Applied Psychology, Tom Sy and his colleagues designed vignettes describing an Asian or white leader (Tung-Sheng Wong vs. John Davis) who worked in engineering or sales. Participants (business students and working professionals) read about the leader and then rated him on different dimensions of leadership. Asians were rated as lower on leadership overall, but more so in sales than engineering. They were seen as dedicated and intelligent but lacking in the prototypical leadership attributes of masculinity, charisma, and tyranny. The white leader who fit these prototypes was seen as more leader-like.

Cultural values may also contribute to the disconnect between Asians and leadership in the U.S., as Jane Hyun, the author of the 2005 book Breaking the Bamboo Ceiling: Career Strategies for Asians, has suggested. For example, Eastern cultural norms encourage
humility and deference to authority – but leaders in Western cultures are usually required to command authority and to promote themselves and their ideas. As Wesley Yang wrote in New York magazine, Western society teaches that “the squeaky wheel gets the grease,” while Eastern society teaches that “the nail that sticks out gets hammered down.”

More importantly, when Asians do act assertively, they may be penalized for violating the stereotype. This is similar to the double bind that women experience when ascending to leadership positions: competent and assertive women, who fail to meet the gender role expectation of being kind and empathetic, tend to be evaluated negatively.

A study by Berdahl and Min found that groups of student participants not only stereotyped Asians to be less dominant than whites, but also judged them negatively when they violated this stereotype. Their study found that among working professionals, East Asians (often stereotyped as the most deferential) who reported being more dominant at work also reported being harassed more in the workplace. So Asians face a double bind as well: If they act more dominant, they will be less liked, but if they do not project dominance, they will not be seen as leaders.

**Implications**
The general success of Asians tends to delegitimize diversity initiatives for this group, and this reinforces the lack of Asian leaders. If Asians do advocate for the advancement of their group, they could be penalized, because women and minorities who advocate for diversity are seen as less competent and lower performers. Tom Sy’s research also suggests that the bias against Asian leaders can decrease motivation to lead among Asian Americans, which can further exacerbate and reinforce the view that they’re not suitable for leadership.

It is time to rethink the “good leader” prototype of being masculine, dictatorial, and charismatic. Evidence shows that neither men nor women prefer to be treated in an aggressive fashion, yet that model persists as a valid expectation for leadership. As the population of workers in the United States changes, so too should models for leaders. In
the meantime, businesses should focus on determining the competencies needed to fulfill a leadership job and then select leaders who fit the requirements rather than leadership stereotypes. If we do this, it is likely that more minorities and women will reach the top.

Stefanie K. Johnson is an associate professor of management and entrepreneurship at University of Colorado’s Leeds School of Business and author of *Inclusify*. Dr. Johnson studies the intersection of leadership and diversity, focusing on how unconscious bias affects the evaluation of leaders, and strategies that leaders can use to mitigate bias. She is a member of the MG 100 Coaches and the 2020 Thinkers50 Radar List.

Thomas Sy is on the faculty of the Department of Psychology at the University of California where he teaches and conducts research on leadership and teams. In addition to his research and teaching, Dr. Sy provides consulting, training, and coaching services to industry. He has served a variety of client organizations, including General Motors, Google, Boeing. His research has been published in a number of outlets, including *Journal of Applied Psychology*, *Organizational Behavior and Human Decision Processes*, as well appearing in popular media such as National Public Radio, London Times, Washington Post, and among others. Dr. Sy has also served in the U.S. Army Special Forces (Green Beret).

This article is about RACE

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10 COMMENTS
Mr Ngo  6 months ago

It's amusing how academics have to put fancy mathematics, formulas, terminologies, and studies to say fairly common sense ideas. I'm sure some good science and discoveries have come out of Harvard but I think this article only captures a small part of the picture.

First off, white Americans know perfectly well that Asian American men can lead. They saw it when Genghis Khan's sons came marching with hordes into Europe, conquering vast lands. They saw it when imperial Japan rose up to challenge the status quo after the Russo-Japanese war, very quickly industrializing a nation into a threatening war machine. They saw it when Ho Chi Minh led a successful independence movement in Vietnam. They see it when directors Bong Joon-Ho win Best Director for Oscars. They see it today in the economy of China. They see it when Asian athletes go on to perform extremely well in the Olympics and international martial arts competitions.

Yes, Confucianism has a part in all this. But let's not miss the real picture: Asian men are seen as rivals. Look up the Yellow Peril Wikipedia page. A white man who built a company doesn't want to see his creation handed over into the hands of his rival. It's as simple as that. Asian Americans only began migrating in mass to the United States around the Vietnam War. Possible answers include more Asian American businesses and startups, acquisitions of existing companies by private equity firms led by Asian Americans, etc. Asians American men have proven to be some of history's biggest risk takers and surely it's only a matter of time before tides shift. It will take undoubtedly take action on the part of ambitious, young Asian Americans. But history is replete with ambitious Asian men, which is why the desperate attempts to hold down Asians in this country will come tumbling down very soon.

Reply

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Asian Americans are the forgotten minority in the glass ceiling conversation.
This was painfully obvious to us while reading the newly released diversity and inclusion report from a large Silicon Valley company: Its 19 pages never specifically address Asian Americans. Asian men are lumped into a “non-underrepresented” category with white men (we’ll say more about that below); Asian women are assigned to a category that includes women of all races. In contrast, the report addresses Hispanics, African Americans, and Native Americans as distinct categories. Ironically, the chief diversity and inclusion officer of the company remarked about its efforts, “If you do not intentionally include, you will unintentionally exclude.”

But excluded from the report was the fact that Asian Americans are the least likely racial group to be promoted into Silicon Valley’s management and executive levels, even though they are the most likely to be hired into high-tech jobs. This was a key finding in a 2017 report we coauthored for the Ascend Foundation ("The Illusion of Asian Success"), analyzing EEOC data on Silicon Valley’s management pipeline.

Across the country, the results are the same. Our analysis of national EEOC workforce data found that Asian American white-collar professionals are the least likely group to be promoted from individual contributor roles into management — less likely than any other race, including blacks and Hispanics. And our analysis found that white professionals are about twice as likely to be promoted into management as their Asian American counterparts.

It is easy to understand why Asian American representation in the workforce may not seem to be an issue. In some key measures, Asian Americans are the most successful U.S. demographic — more highly educated, for example, and with higher median incomes than any other racial group. More significant, Asian Americans are 12% of the professional workforce while making up only 5.6% of the U.S. population. This fact underlies the potential blind spot for many companies: Because Asian Americans are not considered an underrepresented minority, they are given little priority or attention in diversity programs. We have found that in many companies throughout the country, Asian-related programs are geared toward cultural inclusion, not management diversity.
When we were tech executives in Silicon Valley, our corporate responsibility was to grow the business by building a highly skilled and motivated workforce through hiring, developing, and promoting the best talent. The large numbers of Asian Americans in the professional workforce confirm that businesses are finding qualified Asian Americans to hire; however, the disparity between the lower ranks and the executive levels suggests either that leadership potential is disproportionately lacking in Asian Americans or — much more likely — that companies have not done an adequate job of identifying and developing Asian American talent.

These issues aren’t confined to the tech industry. Similar concerns were raised about the legal profession in a 2017 study coauthored by Goodwin Liu, associate justice of the California Supreme Court. Published by the Yale Law School and the National Asian Pacific American Bar Association, the report found that Asian Americans are well-represented in law — they’re more than 10% of the graduates of the top 30 law schools — yet “have the highest attrition rates and lowest ratio of partners to associates among all [racial] groups.”

A similar finding with New York banks was reported in Bloomberg Businessweek last year. As one example, Goldman Sachs reported that 27% of its U.S. professional workforce was Asian American, but only 11% of its U.S. executives and senior managers, and none of its executive officers, were.

The list of industries goes on. The Ascend Foundation, a pan-Asian organization that published our 2017 paper, was established by a group of pan-Asian accounting partners. They had found that while over 20% of the associates in many of the larger accounting firms were Asian American, very few were being promoted to the partner level.

And this is not just a problem in private industry: While Asian Americans were 9.8% of the federal professional workforce in 2016, they are only 4.4% of the workforce at the highest federal level.

Fortunately, some companies have found ways to close the gap.
Several years ago, one global energy company commissioned an internal task force to review the status of women and minorities in its leadership pipeline. Reporting to the executive staff, the task force found insufficient gender and racial diversity in the pipeline, including Asian diversity, and recommended specific actions. With strong CEO and executive support, the company quickly moved to identify potential leaders and significantly increase its spending for leadership training for women and minorities. For its Asian workforce, it partnered with a major business school to integrate culturally specific training into its leadership development program for Asian American managers.

This example provides the key steps that corporations can take to address the Asian glass ceiling.

First, it is necessary to be data-driven and to carefully review the retention and promotion rates of Asian Americans in an analysis of race and gender. Our research suggests that men and women of different races encounter progression barriers at different levels of the management ladder. Our anecdotal experience leads us to believe that it also varies across different parts of the organization (for example, engineering versus marketing versus sales), though we would need specific data to explore that idea.

Second, it is essential to have open, visible, and proactive support from the CEO and the executive team. Without open support, it is difficult to get organizations to shift priorities and budgets to fund and organize new programs. Just as important, without proactive support, institutional inertia can create procedural potholes that can derail new initiatives.

Finally, it is critical to institutionalize Asian American leadership as one of the goals and sustained priorities of the company’s leadership development process, not just as a one-time special diversity project.

These steps would make for a diversity and inclusion report we would love to read.
Buck Gee is a former Silicon Valley executive and member of the Committee of 100. He received his BS/MSEE from Stanford and MBA from the Harvard Business School.

Denise Peck is a former executive at Cisco and Sun Microsystems, and currently is an Executive Advisor at Ascend. She received her BA from UC Berkeley and her MBA from Stanford University.

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20 COMMENTS

Jim Chu 2 months ago

Like generalized data for anything, averages can hide qualitative details that are important for the story. There is no doubt discrimination, but the stats may not tell the whole story. As the comments seem to suggest, there is a confusion between Asians and Asian Americans, the distinction between which can already be blurry. Perhaps when the stats are controlled for birthplace (which a proxy for controlling for cultural fit), the gap may be reduced. What about generational differences -- due to immigration patterns in the last 50 years, US-born Asians skew much younger than European-American population groups. How much does this contribute to the diversity gap in upper management which has a much higher age average? If a deeper dive into the data suggests it is a cultural issue, i.e. foreign-born Asians may be less accepted due to cultural norms, or that there the issue is age, i.e. the majority of Asian Americans are younger, then the answer there is quite different from if the predominant issue is discrimination. I think the data presented in this article is too generalized to draw any conclusions. As an Asian American male having worked in the corporate tech world in Silicon Valley, Europe, and Latin American, my gut feel is that age and culture (i.e. that there is a higher percentage of Asians in the tech workforce that have a non-US upbringing) account for much of the gap, while a relatively smaller percentage is racial bias.

Separately, I would take issue at one of the core implications of the article, that we should see, as a matter of
corporate policy, equality of outcomes (i.e. % of people in management) versus equality of opportunity. I don't think this should be the goal. The goal is to give all an equal opportunity and to ensure an organization is taking full advantage of potential human resources at its disposal, not to ensure equal outcomes by identity. If people aren't realizing their full potential (and companies not benefiting from their employees full potential) due to discrimination, then that's something to be fixed. Using outcomes, i.e. the percentage of a population in upper management, is a poor proxy for measuring this.

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Asian Americans are often left out of discussions about discrimination in the workplace or breaking through the glass ceiling. Yet, despite higher education and training qualifications, analysis of many studies shows that this group is disproportionately held back from leadership positions. According to 2016 data, 50% of Asian Americans at a disadvantage, where, like all Asian immigrants, they have had to work harder and longer to prove themselves. One possible reason for these issues is that Asian Americans are often held back by cultural stereotypes that can make it difficult for them to access leadership positions. These stereotypes, such as “overachieving,” “hardworking,” and “successful,” are often associated with Asian values and communication styles. Dispelling these stereotypes is crucial to breaking down these barriers to leadership.

For example, some Asian cultural values, such as respect for elders and hierarchy, can be seen as barriers to leadership. These values can make it difficult for younger leaders to assert themselves and take initiative. To overcome these challenges, it is important to provide training and tools to help leaders navigate these cultural differences. For example, providing training on cultural awareness and sensitivity can help leaders understand and respect these values. Additionally, providing leadership development programs that focus on building skills in areas such as communication and decision-making can help leaders overcome these challenges.

Another key factor in breaking through the glass ceiling is addressing the issue of discrimination. Asian Americans face many barriers in the workplace, such as language barriers and cultural misunderstandings. These barriers can make it difficult for Asian Americans to access leadership positions, and can also lead to discrimination. To address these issues, it is important to provide training and tools to help leaders understand and address these barriers. For example, providing training on cultural awareness and sensitivity can help leaders understand and address these barriers. Additionally, providing leadership development programs that focus on building skills in areas such as communication and decision-making can help leaders overcome these challenges.

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Let's talk representation: where we are, where we need to be

When Things are Looking Tough

Part of the problem lies in the status of women and people of color in positions of power. Only 21% of legislators and 44% of judges are women, and far fewer are people of color. This lack of representation is compounded by systemic barriers that prevent certain groups from seeking or remaining in leadership roles. As a result, the perspectives and priorities of marginalized communities are not adequately reflected in policy-making.

What's the Solution?

There are solutions to this problem. First, we need to increase the number of women and people of color in leadership positions. This can be achieved through targeted recruitment efforts, mentoring programs, and diversity training. Second, we need to address the structural barriers that prevent certain groups from seeking leadership roles. This can be achieved through policies that promote diversity and inclusion, such as affirmative action programs and anti-discrimination laws.

Why Do We Need AAPIs in Government?

As AAPIs, we bring a unique perspective and cultural understanding to the table. Our experiences and histories give us a deeper understanding of the challenges faced by our communities. Additionally, our collective leadership has the potential to inspire change and create a more inclusive and equitable society.

APAICS' National Leadership Academy

APAICS is dedicated to empowering AAPIs through leadership training. Our Leadership Academies bring together a bipartisan group of promising AAPI political leaders, including current and former elected officials, AAPI community leaders, and AAPI business leaders. Through interactive workshops, panel discussions, and networking events, our Academy provides leaders with the skills and knowledge they need to succeed in the political arena.

APAICS Leadership Training Program

Our Leadership Training Program is designed to provide AAPIs with the tools and resources they need to advance their careers in politics. This program includes workshops on campaign strategy, voter outreach, and leadership development. Additionally, our resources are dedicated to promoting diversity in leadership, ensuring that AAPIs are represented in decision-making roles.

APAICS' Leadership Training Program Resources

APAICS provides a range of resources to support AAPIs in their leadership development. These resources include webinars, workshops, and coaching sessions. Additionally, we provide access to a network of experienced mentors who can offer guidance and support.

Conclusion

In conclusion, the need for AAPIs in government is urgent. Our leadership is essential to creating a more inclusive and equitable society. By increasing the representation of AAPIs in leadership positions, we can ensure that our communities are represented in the decisions that affect us. Together, we can create a brighter future for all.
In this year’s Korematsu Lecture, Justice Goodwin Liu, associate justice of the Supreme Court of California, examined the troubling paradox of why Asian Americans, despite being the fastest growing minority group in the legal profession, struggle to reach the top ranks of the field. The annual lecture—named in honor of Fred Korematsu, the plaintiff who challenged Japanese internment during World War II—is sponsored by the Asian Pacific American Law Students Association and serves as a forum to address Asian American perspectives on the law and to honor Asian Americans who have contributed to the development of the law.

Liu observed that when Dale Minami, the Japanese American lawyer who led a team of attorneys to reopen and win Fred Korematsu’s case in 1983, graduated from law school in 1971, there were fewer than 500 Asian American law students in the country. Since then, Asian American representation in the legal profession has increased dramatically. The number of Asian American lawyers has grown from about 10,000 in 1990 to about 55,000 today, and Asian Americans constitute five percent of all lawyers in the US. But they continue to face challenges, Liu noted.

"Asian Americans have made tremendous gains in the legal profession over the past 30 years, but we have yet to penetrate the very top ranks of the profession in significant numbers," said Liu, who in 2017 coauthored “A Portrait of Asian Americans in the Law,” based on a survey of more than 600 Asian American lawyers and data from a range of sources.

Asian Americans constitute 10.3 percent of students at the top 30 schools, but only receive 6.5 percent of federal judicial clerkships, according to Liu’s report. Since 2009, Asian American first-year enrollment in law school has dropped 43 percent, the largest decrease across all groups; in the fall of 2016, the number of Asian American 1Ls was at its lowest level in 20 years.

A study by the American Bar Foundation found that Asian Americans graduate from law school with the lowest debt and the highest salaries in their initial years of practice, but also have the lowest satisfaction. Asian Americans have been the largest minority group at major law firms for nearly two decades, but their numbers are concentrated in the associate ranks, Liu pointed out. Asian Americans have the highest ratio of associates to partners: 3.65:1.

Liu’s 2017 report found that a lack of mentoring was most frequently cited as an obstacle to career advancement.

"Despite having good educations and objectively strong skills, Asian Americans seem to struggle with the subjective or less tangible prerequisites for career advancement, and have difficulty navigating the unwritten structure of the workplace," said Liu. "To the extent that mentoring and networking are based on perceptions of sociability and conformity with cultural norms, Asian Americans may face obstacles rooted in stereotyped perceptions of being foreign, socially awkward, or unassimilable."

The judge encouraged students to consider how they present themselves in the workplace. "I hear from a lot of students, ‘I’m not good at public speaking. I’m not good at networking,’” said Liu. “Look, no one likes these things. These skills are acquired and learned and practiced. Just as you learn how to write a good contract, you also have to be very intentional about learning how speak well, how to go to a cocktail party, how to be sociable in a room. That is how most people develop the relationships that enable advancement in most settings.”

Liu added that he is interested in exploring some of his research findings further, including the high attrition rates among Asian Americans at law firms and their relatively low representation in public service and in government. Among attorneys in the federal government, nine percent were Asian Americans, but only 5.6 percent of attorneys at the highest civil service pay grades were Asian Americans.

“Greater penetration into these public leadership roles is critical to increasing the influence of Asian Americans throughout the profession and society,” said Liu.

Posted March 12, 2018
The Leadership Experiences of Asian Americans

Article in Asian American Journal of Psychology · December 2013
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Asian American mental health View project

International Leadership Network - Global and Diverse Leadership View project

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The Leadership Experiences of Asian Americans

Debra M. Kawahara  
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Monica S. Pal and Jean Lau Chin  
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Although the number of Asian American professionals has continued to increase significantly in the United States, their underrepresentation in leadership roles remains. Given the absence of literature in this area, this article presents a qualitative study on 14 Asian American leaders in order to understand their perceptions and experiences in attaining and performing in leadership roles. Semistructured interviews were conducted, and themes were then garnered from them. Major themes identified included the influence of common Asian values, having to negotiate multiple identities, leading in response to the urging of others, using a group orientation and collaborative style, having a strong work ethic, emphasis on excellence, having to respond to stereotypic perceptions and expectations, and the importance of support and mentoring. Although participants were unique in their experiences, salient aspects across participants emerged showing that they were influenced by their identification as Asian Americans. These qualitative findings generate hypotheses about Asian American leadership that warrant further investigation.

Keywords: leadership, Asian Americans, Asian American leaders

Asian Americans have been labeled the “model minority” because they are hardworking and “overachieve” in many areas, including achievement tests, grades, educational degrees, and entry into some of the best colleges and universities. Their educational attainment is higher than other racial groups with 44% of Asian Americans completing at least a college or advanced degree in comparison with 26% of the White population, the next closest racial group (Julian & Kominski, 2011). Despite this “over-achievement,” the number of Asian American executives, officers, and directors included 96 men and women who held 127 seats at Standard & Poor 1500 companies during 2004, representing less than 1% of the total seats. The discrepancy between high educational attainment and low percentage of those in leadership positions within corporate America raises some interesting questions about “Why?” Questions include: whether or not they possess the requisite leadership skills and characteristics; the existence of barriers such as racism, sexism, and discrimination; the availability of opportunities; mentors and role models; and the necessity for representation.

Leadership Styles of Asian Americans

Because there has been little in the leadership literature about Asian American leaders, it would be beneficial to learn from their experiences to begin to answer these questions. This case study method is useful to generate hypotheses for further research in the same way early leadership research was conducted on existing leaders. The use of qualitative methods is also important to avoid preexisting biases shaped by testing current theories. Those few studies that do exist have addressed how Asian American leaders face the adverse effects of both positive and negative stereotypes, the biases they face, and the influence of cultural values on leadership style.

Sue (2009) found some common characteristics among pioneer ethnic minority leaders, which included Asian Americans. The first was the courage to seek graduate educations and to be involved in ethnic issues because so few role models and limited systems of support existed. Second, these leaders had an intolerance of injustice; they not only identified problems, but also sought out solutions to change the prevailing access barriers to leadership roles. These leaders were also active in contributing to the multicultural movement, displaying a commitment to cultural diversity, and protesting against conformity to existing White norms. These early pioneers were advocates who paved the way for social mobility of future Asian American leaders via a social justice orientation.

Lim and Ployhart (2004) found that Asian American leaders strived to be transformational leaders who develop, intellectually stimulate, and inspire those they lead and to put aside their own self-interests toward a “higher collective purpose, mission, or vision” (p. 611). A transformational leadership style typically is defined as including the following four qualities: charisma, inspirational motivation, vision, intellectual stimulation, and individualized consideration. Transformational leaders raise the bar by appealing to higher ideals and values of followers. In doing so, they may model the values themselves and use charismatic methods to attract people to the values and to the leader (Burns, 1978). One dimension of this leadership style is to act as a coach or...
mentors to followers and to inspire them to work for the collective whole.

Although many dimensions of a transformational leadership style are consistent with the Asian collectivistic cultural value, in which the group’s needs are put before individual needs, there is some evidence to suggest that Asian Americans appear to favor a collaborative leadership style over a transformational style (Chin, 2013). The use of a collaborative process with a focus on the needs of the group as a whole, emphasis on the relationship, and working together to come to a consensus in order to make decisions was embraced by the Asian American leaders. Moreover, Chin (2013) suggested that dimensions such as charisma and assertiveness, commonly associated with a transformational style, may have different semantic meanings within Asian cultures.

Kawahara (2007) discovered that Asian American female leaders were often visionary and had the ability to inspire others to follow and work toward a shared vision with enthusiasm, energy, and passion. Women leaders in her study tended to use a relational and collaborative leadership style which emphasized empowering others, sharing power, and utilizing the strengths of others to achieve a common goal. This style of leadership involved the opinions, feelings, and thoughts of others and is contrasted with more hierarchical and authoritarian styles. Essential to the success of these women leaders was the support and mentoring received from family, friends, and colleagues.

Stereotypes and Perceptions of Asian Americans

Although these characteristics facilitate the exercise of good leadership, Asian American leaders also face barriers and challenges to their leadership. Asian cultural values and characteristics can both facilitate and hinder the exercise of leadership. A “bamboo ceiling” shaped by racism, stereotypes, and biases toward Asians can result in their not being selected or appearing “unfit” for leadership positions.

Xin (2004) identified Asian Americans as the “model minority” because they are “diligent, agreeable, flexible, modest, polite, soft spoken, and nonconfrontational” (p. 161). Although this stereotype about Asian Americans is positive, it is also viewed as passive, nonassertive, and subservient. Despite their being highly qualified, hardworking, and well-respected, they are often perceived as unqualified for leadership roles. Asian cultural values of compassion and having a genuine concern for others’ well-being, often over the well-being of oneself, underline these behaviors. It is noteworthy that Asian American leaders do not see these same characteristics of compassion and the use of indirect communication as passive or nonassertive (Chin, 2013). Rather, they view these strategies as important to achieve similar leadership goals, while maintaining the interpersonal relationships and protecting others from “losing face,” an important value in Asian cultures.

Although Asian Americans are perceived to have the competencies necessary for jobs in engineering and sciences, they are often not perceived to have the qualities necessary for success in sales or leadership (Sy et al., 2010). Engineers typically need to be task-oriented, methodical, and skilled in mathematics with little social interaction, whereas salespersons typically need to engage in promotion and aggrandizement. Negative stereotypes about Asian Americans include “social introversion, emotional withdrawal, verbal inhibition, passivity, a quiet demeanor, and a reserved manner,” which are not considered ideal for certain leadership positions and occupations (Sy et al., 2010, p. 905). Although these perceptions of Asians have their bases in Asian cultural values, they carry different semantic meaning among Asians and are often misunderstood when judged by Western values. For example, social extraversion is valued and positively associated with the ability for sales, good social networking, and important to climbing the corporate and social ladders in Western culture, yet social introversion in Asian cultures is valued and positively associated with integrity and good moral character. Modesty in Asian cultures is valued and practiced as not being boastful, being reserved, and being considerate of others, although self-promotion, as practiced in Western cultures, is often considered rude and shameful by Asians. It is also noteworthy that attributions of social introversion are inconsistent with Asian cultural values, which emphasize the importance of relationships in negotiations and business practices (see Chen & Rao in this issue for further discussion of this topic).

In a study of Asian American management and supervisor–subordinate relationships, Xin (2004) explored discrimination toward Asian Americans as well as stereotypes about their being nonassertive, submissive, and not having the “right stuff” for leadership. Asian Americans were found to be lower on individualism and higher on collectivism. They tended to defer to authority figures and were high in power distance. They tended to be loyal and diligent workers, arriving early and staying late at work. Although viewed as passivity and submissiveness in Western cultures where competition prevails, it is viewed as n in Asian cultures or as correct according to Confucian emphasis on social propriety in superordinate–subordinate relationships. Xin (2004) also found that Asian American were less likely to argue with their bosses or to advocate for themselves in seeking promotions or higher pay. This reflects Asian cultural values, which emphasize harmony and cooperation in interpersonal relationships and an expectation that others will do the right thing (i.e., their bosses will recognize their good work).

Gender stereotypes about Asian American males have varied from being hypermasculine to effeminate and from being viewed as inferior, aggressive, or commendable (Shek, 2006). When these stereotypes differ from the prototypic White, heterosexual, male leader, then it is more likely that they will be viewed as not fit for leadership positions. On the other hand, Asian American women are challenged with different kinds of stereotypes. Louie (2000) revealed that leadership in the form of social advocacy has not been studied among Asian American women because they are stereotypically thought to be “passive and apolitical,” portrayed in the media as “demure and obedient and as sex objects,” and as “victims of a patriarchal ‘traditional’ Asian culture” (p. 13). This blending of racism and sexism toward Asian American females results in being overlooked and not taken seriously for leadership positions.

In contrast to these negative stereotypes, Louie (2000) found Asian American women active in leading community based organizations and in national Asian advocacy organizations where they were “instrumental in defining issues, formulating policy, and influencing social change” (p. 14). These women were motivated to become leaders to solve social problems; their leadership styles involved empowerment and connectedness; and their commitment was lit by the fire of social inequities which encouraged them to fight harder for the rights of others as well as their own. Yet, they
experienced barriers due to the lack of organized support, limited leadership development opportunities, and few Asian American role models early on to help them rise to ranks of leadership. They were pioneers who broke the glass ceiling caused by sexism and racism with limited financial and personal resources.

The report of the Federal Glass Ceiling Commission (1995), created by President Bush and Congress with the passing of the Civil Rights Act of 1991, provides evidence that discrimination resulting in poor access to leadership roles among ethnic groups, including Asian Americans, continues; it was significant in urging corporate America to address the inequities faced by ethnic minorities in the U.S. and their social responsibility to recruit qualified ethnic minorities to leadership positions. The term “glass ceiling,” coined in 1986 by the Wall Street Journal, described the invisible or artificial barriers faced by ethnic minorities in rising to leadership roles in corporate America which include stereotypic perceptions that preclude them in selection processes and misinterpretations that result in poor performance appraisals. The report concluded that “Many judgments on hiring and promotion are made on the basis of a look, the shape of a body, or the color of skin” (p. 6). A glass ceiling remains to influence many business decisions.

The Commission reported the “Supply Barrier” or educational opportunity and attainment as one factor contributing to maintaining the glass ceiling. For many Asian Americans, the supply barrier is not one of enough credentials, but of sociocultural barriers that involve conscious and unconscious racial stereotyping and bias that “they are perceived as superior professionals, but not as management material” (Federal Glass Ceiling Commission, 1995, p. 10). As a result, they end up working in areas such as human resources, communications, public relations, affirmative action, and customer relations where there is very little vertical movement.

Hyun (2005) acknowledged that stereotyping and discrimination toward Asian Americans exist, but suggested that this invisible barrier, which she coins as a “Bamboo Ceiling,” can also be internal. She cited the influence of Confucian values on Asian American behavior such as maintaining order and harmony, respect for elders/superiors, and limiting self-expression in the workplace, which clash with Western values of individualism, competition, and materialism. Similar to Chin’s (2013) conclusions, these values can negatively influence upward mobility in hiring and promotions of Asian Americans in Western settings.

Hyun (2005) identified certain stereotypes of Asian Americans in the workplace that include waiting their turns to speak up in meetings, being soft spoken, and not being good at self-promotion and marketing themselves. They are viewed as respecting authority and often too busy working with little time given to socializing. Although these are extremely valuable to a company for middle manager or worker bee positions, they are not associated with behaviors for moving into positions of power and leadership. These findings are confirmed in several of the articles in this special section.

Statement of the Problem

To date, the limited literature and research on Asian American leadership has focused on the negative perceptions, barriers, stereotypes and biases, as well as the challenges that Asian Americans face, and how Asian Americans do not appear “to have the right stuff” to be leaders. There is little research that explores how leadership is viewed and experienced by Asian American leaders themselves, including their strengths, abilities, resiliency, and the context in which they led.

Purpose of the Study

The purpose of this qualitative study was to explore the lived experiences and social identities of Asian American leaders in order to better understand how they shape their leadership styles and the contexts in which they lead. Lived experiences included childhood, family, community, and work environments as well as the process of exercising their leadership and the perceptions and expectations of them as leaders. Social identities included dimensions of ethnic and gender identity and how they influenced leader identity and the exercise of leadership. Finally, leadership styles endorsed by the leaders were identified.

Method

Participants

All the participants who identified as Asian American from a database of a national research study on diversity and leadership were used as the sample in this study, totaling 14 participants. This convenience sample came from the original study, which included 367 participants who completed an online survey. Of the 367 participants, 135 participants initially expressed a willingness to have a follow-up interview; however, only 73 participants were interviewed. Of the participants who were not interviewed, half did not respond to outreach by interviewees, and others gave incorrect contact information or were unable to schedule a time with the interviewer. Leader was operationally defined as holding or having held a formal position of leadership with a title of responsibility and oversight for at least a year. These positions included such titles as director, manager, vice president, or president. Oversight included such responsibilities as supervising, managing programs, companies, or divisions. Demographics of the participants can be found in Table 1. Names of the participants have been changed to pseudonyms to protect the participants’ confidentiality.

Semistructured Interview Guide

Archival data was utilized for this study from semistructured interviews. The major questions included in the interview guide were: (a) What is your leadership style? How do you lead?; (b) Who are you as a leader?; and (c) What has made you who you are today and the type of leader that you are? If and how has race, gender, or ethnicity influenced your exercise of leadership or your access to leadership? Based on the participant’s initial responses, the interviewer could prompt the participant for more information and details about the response.

Procedure

Interviews for this study came from Asian American participants who completed the online survey and who agreed to a follow-up interview. They were contacted and interviewed by
Researchers’ Reflexivity

Reflexivity is an ongoing process of self-questioning and self-understanding, leading to the researcher’s awareness of his or her own worldview, beliefs, assumptions, and biases; an examination of his or her way of knowing and knowledge; and how this influences and interacts with his or her research (Patton, 2002). Profiles of the two researchers are provided to show the awareness of their worldview, ways of knowing, and influences on the research process.

Debra M. Kawahara is a third generation Japanese American woman who is a Professor of Clinical Psychology and holds an administrative role in her academic department. She also held leadership roles in professional psychological associations. As a younger female child in a family of six children as well as being younger than her grade peers during her K–12 education (her November birthday made her one of the youngest students), being a leader was not a position to which she was accustomed within her family, school, or work. Although there was a desire, she often would be hesitant to pursue leadership roles. This changed as she began to develop as a professional psychologist, specifically as an academic where mentorship and encouragement from more experienced, senior female and male psychologists assisted in her attaining leadership roles.

Monica S. Pal is a biracial female with an older brother, and she was raised in the diverse suburbs of New York. The dynamic interaction of her social identities (i.e., gender, age, race, and leader) played out within her family. Her father immigrated from India when he was 26, coming from a humble Hindu patriarchal family. Her mother came from an egalitarian home, and a Christian, White European American background. Monica works as the Project Director of an outpatient substance abuse counseling center and as an Adjunct Professor. Given her family of origin, leading did not come easily to her. As a humble and young leader, Monica initially had difficulty delegating work or asking others for help, especially of those whom were older; she felt as though she could and should complete the work herself. Mentors and supervisors have inspired Monica to ask for assistance and encourage others to
take the lead of different tasks and projects in order to strengthen her own leadership abilities.

Results

Common Asian Values Endorsed by Leaders

Many of the participants emphasized certain characteristics that they possessed both as a person and a leader which were consistent with Asian cultural values that they associated to their leadership style. Many of these values appeared to be instilled from their upbringing as well as their families and communities. These values included being humble, having concern for others’ well-being first, being kind, giving back to the group or community, valuing education, respecting one’s elders, and being responsible. Some examples include:

...an attention to, a respect for, a concern for, how the well-being for the other people and the attempts to put others before yourself. That’s the idea that modesty is an important value. (William)

In the cultural values of being raised as an Indian and Hindu, emphasis was paid on kindness and giving back and compassion and getting to your best potential through education. All those are values that I tap into as a leader that allows me to transfer those over to those that come under me. (Aditi)

Being South Asian, there’s just that emphasis on respecting your elders and respecting people with more experience than you in general. (Niyati)

A sense or tendency to be overly responsible. (Lori)

Negotiating Multiple Identities

The participants discussed their various multiple identities and social locations throughout the interviews. The shifting and integrating of their multiple identities was evident in the lives of the participants as the participants had to think about and negotiate aspects of themselves as an iterative process with their experiences, roles, changes, and contexts that they found themselves in. The salience of a particular identity appeared to be context dependent; it was influenced by the density of others with similar identity dimensions and the friendliness of the environment’s climate with regard to diversity. Most participants identified strongly with three dimensions: ethnicity, family, and work.

I feel like I’m stepping in and out of identities all of the time. If I had to pick a professional identity, I strongly identify as a counseling psychologist . . . I do a lot of community work and I’m engaged in a lot of not-for-profit work and volunteering that definitely community activist would be another one. And family is just really important to me, so whether, I don’t know what the label would be daughter, sister. Those are some identities. (Niyati)

I used to work in a world where there were a lot more men than women and I was asked less to help out or I was referred to as “Honey” or “Sweetie” or stuff like that. Totally focused on gender. That was more focused on gender than race or ethnicity, whereas where I currently am, it’s more cultural. (Neesha)

I think that context is important. For instance, the way I was raised as an Asian Chinese male in this culture is not very healthy for our survival. (David)

The priority is my family and the community in some ways is an extension of my family. I really try to protect my time with my family and community and I try not to have my leadership responsibilities interfere with my time with my family. (Jeff)

“Leadership by Necessity”: Being Asked to Lead

For many of the participants, the role of the leader was not one that they actively sought, but were asked to fulfill by others. Interestingly, participants noted that their preference is to have a lower profile and not be highly visible. Yet, many were sought out for leadership roles because of their reputation to “get the job done” or their highly credible position in their profession. In addition, they often found strong support for them to take on leadership roles, which then led them to consider the roles, and many were willing to serve in the leadership positions for the good of the group.

Leadership by necessity, I’ve been asked to be a leader from time to time. When I was asked to be President of [organization], it was not something that I was seeking to do. (Jeff)

I don’t seek leadership positions. I think culturally, I prefer to keep a lower profile and not bring a lot of attention to myself. (Patty)

My leadership position was something I didn’t choose. I fell into it. Individuals seek me out for feedback and increased responsibility not because they know I’ll get the job done but because of their sense of my ability to respect privacy and approach without judgment. (Lori)

I’ve earned leadership positions through my research. That has always been the case. I was President of [organization] because people asked, “Hey, you have this background and knowledge, why don’t you run for it? . . . I would only run for a position if, indeed people were receptive to it and I felt that I could contribute things to it. (Thomas)

Group-Oriented and Collaborative Style

When asked about their leadership style, participants responded that their style was collaborative and group oriented. Specifically, the emphasis on the group’s efforts and outcome as opposed to solely the leader’s and the respectful inclusion of all group members’ input and opinions were significantly evident. Other behaviors illustrating this style were listening and empowering others, decision making based on consensus, facilitating the group in working together, and giving everyone credit.

I certainly believe a lot of people talk about empowerment, about delegation . . . in order to really do that, it is very difficult. And I’m not saying that I’m the paragon for doing that, but in my own mind consciously, that’s what I try to strive to do. (Dave)

Mainly, a respect for the members of the group and their opinions, which leads to an emphasis on consensus. (William)

I see it as a democratic process. I’m a facilitator. I help bring people together. (Michael)

...I’ve been able to motivate and mobilize people to work together on common interests and projects. (Thomas)

I tend to go through facilitative leadership, being consistent—where everyone can talk, but everyone’s goal is to make a decision. (Patty)
Strong Work Ethic and Excellence

All participants appeared to have a strong work ethic and were hardworking. Many discussed working long hours and being driven in their desire to do a good job or to attain their goals. Further, participants seemed to be very conscientious and sought quality or excellence in their work. These strengths appeared to be the very attributes that led to being recognized by others as having the capabilities to lead well and being asked to take on those leadership roles.

I feel like just working hard and being conscientious because it is a lot of work and needing to stay on top of things. (Diane)

...I love what I do, I’m driven to do the work, to create the knowledge base, and I will spend the hours and work, if possible 6–7 days a week to work toward these goals and I think in some sense that, and I know it’s true. (Thomas)

I place a strong emphasis on doing the job and doing it well the first time. If I’m going to do something, there is no reason to do it half-hearted. It’d be disrespectful of everyone else’s time. (Lori)

Expectations and Stereotypes Based on Appearance

Participants reported instances when they believed expectations and stereotyping by others were occurring due to their appearance. Based on the participants’ appearance, others seemed to make assumptions and have unfounded expectations about the participants based on stereotypes (e.g., race, ethnicity, gender, age, religion), particularly if the participant was the only one in the environment. The explicit and implicit dynamics of stereotyping were believed to still be present today.

Historically, people didn’t think of Asian Americans as potential leaders. I grew up in those times and so my sense is that people did not always expect leadership capacity from me and I think that social expectations as well as stereotypes play a role in what we do. Otherwise, presently, I do follow and believe the implicit subtle discrimination research that’s out there. Even now that there are policies and public statements supportive of diversity that at some level, there are still differences in expectations that are present in some systems and organizations of the larger community and that can be a hindrance and I see it still. (Michael)

I would say that the main thing that I have felt is when people don’t know me that well, they think I’m pliable because I’m a small Asian woman and I’m quiet. (Patty)

Age is probably the only thing because I look really young so it’s hard for people to take me seriously. I feel it more outside of the South Asian community, being a woman actually. (Neeshia)

...the stress comes when I’m the token minority and they say, “Oh look we have this South Asian and she’s Muslim and she’s active,” so I feel like I’m being used somehow not necessarily because of what I’m professionally capable of, but because of my ethnic or religious identity. (Niyati)

I’ve had to become very good at advocating for myself and letting others know when they are making assumptions about how I should be reacting to things. (Lori)

Support and Mentoring by Others

To assist the participants in their careers and leadership positions, role models and mentors were mentioned as being sought and consulted for information, advice, and guidance. In addition, the participants found that they served as valuable models and supports in surviving and thriving as well as balancing the various aspects of their lives such as their professional careers and personal lives. Further, the mentors could advocate, empower, intervene, and validate when necessary when issues, problems, or difficulties arose.

I always look to models and mentors and thought of them as the way in which I’ve been able to thrive as well as survive. (Michael)

There were a number of women . . . I would always ask them how did they bring together their professional life and their family life. It was nice seeing women being strong, academic, rigorous, respected without being pseudomasculine. (Patty)

There are two women at this counseling center currently who have been extraordinary supports to me in terms of when things happen in meetings that don’t feel really good. They have been valuable in validating my experience. They’ve been very helpful in getting me to advocate for myself. (Lori)

Discussion

Participants were all Asian American leaders who have held a leadership position. It is clear that the participants were different and unique in their own way of being as the interviews illustrated. Each traveled a different path and brought different life experiences to their leadership and to who they are today. These differences illuminate the intersectionality of their multiple identities of race, gender, and social locations that comprised the constellation of their life dimensions. Systemic factors such as the sociohistorical period in which they grew up, their acculturation, and their ethnic and gender identities were also important in shaping the contexts of their leadership.

Interestingly, the sample seemed to consist of male leaders who were older and further along in their careers, whereas the women leaders were younger, particularly the South Asian women in the sample who ages ranged from 28 to 37 years. Skewing of this sample may be related to the number of Asian American males, particularly those of Chinese and Japanese descent during earlier immigration periods in the United States; thus, it is more likely that Asian American males enter the ranks of leadership before their Asian American female counterparts. The patriarchal system in U.S. corporations and society-at-large is likely to have compounded the barriers of prejudice and discrimination toward Asian American females in their access to leadership positions. Since the civil rights and the women’s movement of the 60s, social attitudes and mores have become more open and accepting of women and ethnic minorities in the workplace. This may have been reflected in the age differential of the women leaders in this study.

Asian American male leaders in this study tend to describe themselves as nice, polite, compassionate, collaborative, and group oriented. These would not be associated with “typical” masculine characteristics or leadership qualities as defined by Western models, which are often stated to be assertive, direct, independent, and competitive. Yet, these Asian American males were more often
asked to be leaders and were supported by others in their leadership roles. These self-defined characteristics among Asian American male leaders challenge the stereotype that “Asians don’t have the right stuff to be leaders.” It is possible that they were perceived as not competitive or striving to be the leader; as such, they were not viewed as threats. Research by Berdahl and Min (2012) offers partial support who found that male participants who did not violate prescriptive and descriptive stereotypes leading to their being disliked, mistreated, unwelcomed, and/or harassed were more likely to be supported and sought out to be leaders. Another possibility is that their leadership qualities emerged in different ways that were consistent with their expression within Asian cultures. Yet, a third possibility is that the Asian American male leaders fell prey to stereotype threat in which they behaved based on stereotypes about how Asian males are expected to behave (Steele, 1997). In other words, they may have assessed the environment to be unwelcoming or expecting them to behave like an “Asian male” and made a decision not to challenge these expectations of those who were dominant or in power within the organization.

Although each leader was unique in his or her personhood, these Asian American leaders shared common lived experiences. Family, work, and racial/ethnic identities were important to all of them. These leaders clearly valued both immediate and extended families which are consistent with Asian cultural values despite the variation in age, generational level, and gender. Most of the leaders intentionally gave much thought to the time and energy demands of their positions and the impact they had on their availability for the family. For instance, one leader made a conscious decision to reduce national service while his children were young. Work–family balance was significant and expressed as tension given how important work seemed to be related to their sense of self and self-worth. Many spoke to a strong work ethic and a high conscientiousness, leading them to set high expectations for themselves and high standards of quality and excellence for their work. Balancing the demands of work and family required continuous adjusting and accommodating over time as situations changed with the raising of their children or caretaking when a parent became ill. Work–family balance is not included in our understanding of leadership. It has special significance for Asian Americans because work is considered a public representation of one’s family; children’s achievements and successes are seen as honorable for the family, which is connected to the family and group orientation of many Asian families (Sue & Sue, 2007).

Asian cultural values seemed to permeate many of the common characteristics and values associated with leadership behaviors. Humility, kindness, being responsible, respect for elders, importance of education, and thinking of the group before one’s individual needs are aligned with Asian values purported by many scholars (Hyun, 2005; Kim, Atkinson, & Yang, 1999; Sue & Sue, 2007) as well as shown by research (i.e., Jose, Huntsinger, Huntsinger, & Liaw, 2000). Despite this high conscientiousness and strong work ethic, many of the leaders reported that they did not choose to be a leader or desire a leadership position. However, their decision to fulfill a leadership position when asked was viewed as part of their duty and diligence and conforming for the collective good. This is consistent with Asian cultural values of collectivism and working hard. It is interesting that many were asked by others to become the leader, and because of this, many participants felt a responsibility to meet the request of the group. In addition, the support from others also seemed to influence their decision to take on the role of leader. This is reflective of Asian cultural values in which it is more valued to be asked than to ask to be the leader.

Further, the collective, group-oriented leadership style of most of the participants was infused with the Asian characteristics and values above. Listening and empowering others, decision making based on consensus, facilitating the group in working together, and giving everyone credit focuses more on the group and others instead of solely focusing or crediting the achievements of the individuals or the leader. As the leader, the role was seen as facilitating and assisting the group to cooperate and work harmoniously toward goals, both immediate and future ones. Although the participants as leaders may have seen unique strengths of individual members, it was often more important to reward the entire group for the outstanding accomplishments or work completed.

In addition to the Asian cultural values and characteristics that influenced the participants’ identities and behaviors, their physical appearance and racial identification as Asian or an Asian ethnicity posed difficult situations. Many participants were in institutions or organizations that were predominately White and found themselves to be one of a few minority persons and/or possibly the only Asian person among them. Being the only one can lead to being stereotyped as there is not a critical mass to show differences or heterogeneity among those who look physically similar or are from similar racial or ethnic backgrounds (Leak, 2003). Furthermore, it can lead to becoming a token minority to fulfill the diversity of the organizations on committees or community activities, leading to additional responsibilities, stress, and burn out and often are not accounted for when being evaluated or in considering these additional responsibilities in promotions. Ultimately, prejudice, discrimination, and marginalization can often result in negative consequences for Asian Americans due to the perceptions and behaviors of others (Zane & Song, 2007).

To address and manage the various situations, difficulties, and challenges that the participants faced, role models and mentors seemed to be critical for guidance, advice, and support throughout their career and were particularly sought when questions and difficulties arose. The benefits of mentorship has clearly been demonstrated by research through increasing promotion rates, obtaining higher salaries, improving career mobility, developing a professional identity, enhancing professional competence and career satisfaction, facilitating greater acceptance within the organization, and decreasing job stress and role conflict (Johnson & Ridley, 2004). Mentorship also seemed to assist with the areas of actual skill performance such as assertiveness, public speaking, or interpersonal fluency (Zane & Song, 2007) that may be counter to the cultural values of collectivism (placing group interest before individual needs), less assertiveness, harmony, respect of hierarchy or authority, and emotional constraint (Sue & Sue, 2007). An important point, however, is actual skill or behavior performance is different than capacity or requisite skills, and Asian Americans may have the capacity or requisite skill set to be assertive or be a leader, but may not show or utilize them until given permission (Zane & Song, 2007). However, with encouragement and support, they are able to translate the skills into performance and can be effective.
In summary, there are Asian American leaders who embraced certain characteristics that are consistent with Asian cultural values. This shows that one does not need to give up one’s identity, particularly one’s racial or ethnic identity, in order to be an effective leader in the United States. Further, it demonstrates that Asian Americans are capable of being effective leaders, and the questions, doubts, or barriers about Asian Americans being in leadership positions may have more to do with the attitudes, prejudice, and discrimination in the social context by others’ perceptions, stereotypes, and stereotype threat that derailed Asian Americans from opportunities and selection to be leaders.

Limitations

There were several limitations to this study. Archival interview data was utilized for this study, and graduate research assistants conducted the interviews prior to the researchers reviewing and analyzing the data. As a result, interactive data between participants and the interviewers were not given or used in the analysis. Further, member checks, which ask participants to verify whether the results describe their experiences accurately, could not be conducted because participants were not asked to participate in this manner at the time of data collection. This would have posed ethical issues of informed consent and confidentiality. Also, a predetermined number of participants were used based on the data available from the data set from the national study. This may have limited what results were obtained about the phenomenon; however, with any qualitative study, there is an assumption that all aspects of a phenomenon will not be captured by any one study, and the research process is part of the ongoing investigation of the phenomenon.

Conclusion and Future Research

The current study examined the lived experiences of Asian Americans who have served in leadership roles in the United States. The results suggest that the bifurcation of identity dimensions (e.g., Asian vs. Western, male vs. female) may not be helpful in understanding the lived experiences of Asian American leaders because the dimensions are not mutually exclusive and are influenced by other societal, systemic, and psychological processes such as sociohistorical context, events, and attitudes; acculturation; and the individual’s intrapsychic and interpersonal characteristics. It would seem that an analysis that is inclusive and integrative of all the multiple identities and social locations would likely lead to a more holistic and comprehensive understanding of the lived experiences of Asian American leaders. However, there appeared to be salient aspects of their experiences as leaders that were unique to being Asian American regardless of gender, age, and generational level. Overall, it is evident from the Asian American leaders who participated in this study that they had to have resilience and strength in dealing with the negative portrayals and work situations to overcome them as they were pursued and fulfilled their leadership positions successfully. As this research attempted to discern what aspects may be common across Asian American leaders, it may be helpful for future research to further elucidate what particular attitudes, characteristics, and behaviors may be specific to leaders who are Asian Americans, particularly their strengths and resilience, and what situational and contextual factors enhance or impede their development and abilities to lead. This information can then be used to inform, train, and mentor current and future Asian American leaders in being effective and successful, thereby building the pipeline for others to learn and emulate from them.

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Leak, J. D. (2003). *She’s the only “O” in a group of “XYZ’s”: Women’s experience as the sole representative of a salient identity group in a multicultural cohort* (Unpublished doctoral dissertation). Alliant International University, San Diego, CA.


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Attributes of Asian American senior leaders who have retained their cultural identity and been successful in American corporations

Maria Odiamar Racho

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ATTRIBUTES OF ASIAN AMERICAN SENIOR LEADERS WHO HAVE RETAINED THEIR CULTURAL IDENTITY AND BEEN SUCCESSFUL IN AMERICAN CORPORATIONS

A Research Project
Presented to the Faculty of
The George L. Graziadio School of Business and Management
Pepperdine University

In Partial Fulfillment
of the Requirements for the Degree
Master of Science
in
Organization Development

by
Maria Odiamar Racho
August 2012

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This research project, completed by

MARIA ODIAMAR RACHO

under the guidance of the Faculty Committee and approved by its members, has been
submitted to and accepted by the faculty of The George L. Graziadio School of Business
and Management in partial fulfillment of the requirements for the degree of

MASTER OF SCIENCE
IN ORGANIZATION DEVELOPMENT

Date: August 2012

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Abstract

The purpose of this study is to understand the stories of Asian American senior leaders of Fortune 600 companies. The intent was to identify common attributes and experiences that could be used to help emerging leaders along their journeys and American corporations improve workplace environment and retention of top Asian American talent. Thirty-two Asian American senior leaders of Fortune 600 companies participated in an online questionnaire which included the Suinn-Lew Asian Self-Identity Acculturation (SL-ASIA) Scale. In addition, nine of those leaders were interviewed for stories and insights on the quantitative data. The findings uncovered that these leaders found a way to integrate their Asian and American identities, learned at an early age the Asian cultural value of hard work, took on and sought out risks and challenges, had non-Asian mentors and coaches in their careers who helped them acculturate into the American and/or organization’s culture, and were passionate about developing others.
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- Pepperdine MSOD Nu Prime (especially, SoulRockets), faculty, and alumni
- Organization Effectiveness CoE
- 3AN (Allstate Asian American Network)
- OCA (Organization of Chinese Americans)
- NAAAP (National Association of Asian American Professionals)
- NAAMBA (National Association of Asian MBAs)
- DaBarkadas.

Last, but definitely not least, I especially thank my thesis advisor, Dr. Terri Egan, for her calming patience, thought-provoking questions and insights, and reassuring guidance through this journey. She kept me focused, sane, and enjoying the research process.
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Introduction

I was an information technology (IT) manager at a Fortune 100 company just over a decade ago. Finding an Asian American leader to look up to was not easy, nor did I think I needed one. I had a number of informal mentors and coaches, all non-Asian and primarily peer-level or managers I was reporting to. One manager, a Caucasian woman, took a special interest in me and dedicated a lot of time and energy to develop and groom me to be a successful leader in our organization. She was extremely honest with me when it came to feedback; and as our relationship grew and I could see how much she cared for and believed in me, my trust in her grew.

“You’ve got to be more assertive,” “Be more commanding with your voice,” and “Take control of the situation” were common pieces of feedback I heard. While it seemed unnatural, I gave it a try and the more I raised my voice, pounded my fist on a table, or put someone “in his or her place,” the more encouragement and positive feedback I got. My leadership career was also moving at a trajectory I had never experienced before.

That was until a couple of years down the road when a person on my team, who had been with me through this entire personal change, said, “You know what . . . it’s like I don’t even know who you are anymore.” That stopped me dead in my tracks. I took this feedback to heart because I had always taken great pride in my relationship with my team. Then, when I took a step back to reflect on his comment, I realized that I, too, did not even recognize who I was anymore. Also, what seemed unnatural were these behaviors that were counter to the Asian American values I grew up with—including that harmony of the group was more important than the needs of an individual. I sensed that I needed to find some kind of middle ground but did not know how.
So I spoke with my manager about this revelation. I shared that while I had found that these new skill sets helped me be more effective . . . to a point, they weren’t entirely me. She understood and was supportive. What she was offering me was coaching and advice that had helped her to be successful in her career. We agreed to experiment with helping me find my own leadership style. Unfortunately, within that same year, we went through organizational changes and we each moved to different parts of the organization. While we continued our mentoring relationship, it was different.

As I began to better understand myself and the way I wanted to lead, I felt like I did not fit into the leadership mold of our organization. The Center for Work-Life Policy published a study called *Asians in America: Unleashing the Potential of the “Model Minority”* (Hewlett & Rashid, 2011). Only 28% of their Asian American respondents answered favorably for “comfortable being themselves at work” versus all other ethnic groups (African American, Hispanic, Caucasian) answering between 40% and 42%. The study also showed that a large number of Asian Americans felt stalled in their careers—63% of Asian men and 44% of Asian women, with a number of them planning to quit their jobs within a year—19% of Asian men and 14% of Asian women.

While I thought I fit the mold of what a leader was on paper, it did not seem to coincide with what was recognized as the norm among leaders in my part of the organization. After a couple more years, I was not only ready to step down from my leadership role, but I was also ready to leave the company.

The Work-Life Policy study found that 41% of Asian men and 31% of Asian women, the highest of all ethnic groups, reported that biases at work are severe enough to cause them to scale back in their careers. However, there are a small number of Asian Americans who have pushed on and have been successful, such as the 1.9% of the
Fortune 500 corporate officers who have made it to the top ranks (Hewlett & Rashid, 2011). To better understand what has made these leaders stand out, this thesis examines the stories of Asian American leaders who, as pioneers of their generation, have worked their way up to senior levels in top U.S. corporations.
Chapter 1

Background

People of Asian descent make up more than half the world’s population and according to the 2010 Census, 4.8% (14.7 million) of the United States population (U.S. Census Bureau, 2010a). According to the U.S. Office of Management and Budgets, “Asian” refers to a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam. The Asian population includes people who indicated their race(s) as “Asian” or reported entries such as “Asian Indian,” “Chinese,” “Filipino,” “Korean,” “Japanese,” and “Vietnamese” or provided other detailed Asian responses.

The Asian population grew faster than any other race group in the United States between 2000 and 2010. The population who reported that they were Asian alone or in combination with another race increased 46% compared to the general U.S. population, which only grew by 9.7%. The U.S. Census projects a 161% increase to 9% of the total U.S. population in the next 50 years (U.S. Census Bureau, 2010a).

Purpose and Significance of Study

The purpose of this study is to provide emerging Asian American leaders with some guidance to more effectively navigate their paths to top executive positions in American corporations. These common themes and stories of success can also help American corporations better understand the untapped potential of this highly qualified talent to better create environments where diverse leadership styles are valued and leveraged and people feel free to bring their whole selves to work.
With the small number of leaders at a senior level and over 60% of Asian Americans being first-generation immigrants, knowledge transfer and awareness of what makes an Asian American leader successful is limited. “With many highly qualified Asians in America as the first in their families to enter the corporate world, navigating this new terrain can feel both complicated and daunting” (Hewlett & Rashid, 2011, p. 9). As one focus group participant in the Center for Work-Life Policy study called *Asians in America* put it, regardless of specific heritage, “We all literally have to start from scratch” (Hewlett & Rashid, 2011, p. 9).

The goal of this study is to take lessons and commonalities from the stories of the participants to add to and help connect the existing body of knowledge about Asian American leaders so that Asian American communities and American organizations can learn from and collectively take action to effect positive change.

**Methodology**

The research approach was in two parts. First, an online 10-minute questionnaire and assessment was distributed to capture demographics of this population and their acculturation levels based on the Suinn-Lew Asian Self-Identity Acculturation (SL-ASIA) Scale self-assessment (Suinn, Rickard-Figuerna, Lew, & Vigil, 1987). Then, a subset of the participants who opted into the second part of the study were invited to do a 45-minute face-to-face or telephone interview to share stories of their upbringing as well as their career journeys and influences as leaders.

**Thesis Overview**

Chapter 2 reviews the literature on the topics of Asian Americans, Asian cultural values, Asian Americans in the workforce, and leaders and executives in American
corporations. This body of knowledge will help provide context for the discussion of the findings.

Chapter 3 summarizes the research method and process that was used to capture both quantitative and qualitative data during this study.

In chapter 4, the findings of the research will be shared. This is followed by a discussion to synthesize and understand the data, potential topics for future research, and a final conclusion of the study in chapter 5.
Chapter 2

Review of Literature

What contributes to the success of Asian American leaders in American corporations? The purpose of this study was to understand the stories of Asian American leaders who have successfully reached the rank of senior manager or above in Fortune 600 companies. The intent was to identify common attributes of these leaders that have contributed to their success and can be used to help emerging leaders along their own journeys as well as help American corporations better understand the experiences and challenges of Asian Americans to improve workplace environment and retention of this talent.

Relevance and Importance

While Asian Americans have high ambitions that begin in the schools and carry into the workplace, their ability to reach the highest levels of corporations has met many challenges. A group of researchers at the University of California, Riverside, published study findings indicating that Asian Americans are not viewed as ideal or charismatic leaders in the United States:

Understanding the effects of race on leadership perceptions is important, in part, because the U.S. workforce is increasingly racially diverse, and organizations are realizing that the inclusion of racial minorities constitutes a competitive advantage in a global market. However, racial minorities are often perceived to be less suitable for management positions in the United States, as evidenced by a persistent glass ceiling for these groups, lower managerial promotion ratings, lower job suitability ratings, and individuals’ attributions of success and failure. (Sy et al., 2010, p. 904)

With the growing diversity of tomorrow’s workforce and the highly educated pool of talent within the Asian American population, it would benefit American corporations
to understand how to best develop, appreciate, and leverage the cultural values of this group, especially as leaders.

**Inclusion and Exclusion Criteria**

Studies included in this review looked at Asian integration into different country cultures, specifically other countries that have what Hofstede, a Dutch researcher, defined in his National Cultural Dimensions as highly individualistic cultures, similar to America (Hofstede, 2012). Studies that were excluded from this research were those too narrow in scope or with too small of a sample used.

**Asian Americans**

Recognizing the peaks and valleys of the Asian American experience means analyzing both the past and present. This is important because the history of Asian Americans has been one of dynamic change.

Asians Americans, like all Americans, have faced good times and bad times. However, there is a historic set of challenges that have faced Asian Americans—from being excluded from meaningful participation in American society, viewed as racially and culturally inferior during the 19th and first half of the 20th century, to becoming viewed as the “model minority” during the latter half of the 20th century.

The ups and downs of Asians in America were seen in the history of two of the earliest groups of immigrants from Asia and their descendants. The first was in 1882 when Chinese Americans were the first immigrant group to be excluded from entry into the United States, an exclusion which was lifted in 1943. Chinese Americans were treated better during World War II, when China and the United States were allies, but then they were again viewed as suspicious after 1949 when the emergence of what was called “Red China” increased anti-Chinese hostility (Kitano & Daniels, 2001). In June of 2012, a
resolution introduced by Judy Chu (CA-32), H.R. 683, was passed by the U.S. House of Representatives as an acknowledgement and regret of the Chinese Exclusion Act of 1882.

Other examples include the restriction of Japanese Americans by the Gentlemen’s Agreement of 1907-1908; the ban on immigration in 1924; and forcible incarceration behind barbed wire during World War II (1942-1946), with redress granted in 1988, including a formal apology and a cash payment of $20,000 to each survivor of the wartime camps (Kitano & Daniels, 2001).

However, in the second half of the 20th century, the image of Asian immigrants had largely changed to the “model minority.” The term model minority was coined in 1966 at the height of the Civil Rights movement. Arguably, the transition to seeing Asian Americans and Pacific Islanders as the “model minority” in 1966 worked not to celebrate Asian Americans and Pacific Islanders, but to reinforce how other minority groups were still “the problem.” As the December 1966 article in U.S. News & World Report put bluntly: “At a time when Americans are awash in worry over the plight of racial minorities, one such minority is winning wealth and respect by dint of its own hard work—not from a welfare check” (Quoted in CARE, 2008, p. 2).

The number of Asian Americans in the United States doubled between 1980 and 1990. This was primarily an outcome of the Immigration Act of 1965 and the U.S. military’s involvement in Southeast Asia. As of 2010, there were nearly 17 million Asian Americans. This represented an increase of 46% since 2000, equaling 4.8% of the current U.S. population. The U.S. Census Bureau (2010a) has also identified a wide diversity within the Asian American population, with at least 24 different ethnic groups, including Asian Indian, Chinese, Filipino, Japanese, Korean, Laotian, and Vietnamese. Each subgroup has its own unique language, immigration history, traditions, and customs.
In the 2010 Census, the Asian subgroups with one million or more responses for the Asian-alone-or-in-any-combination population were Chinese, Filipino, Asian Indian, Vietnamese, Korean, and Japanese. The Chinese-alone-or-in-any-combination were the largest Asian subgroup, with 4.0 million. There were 3.3 million people who reported Chinese alone with no additional Asian subgroup or race category.

An analysis of respondents who identified with only one Asian subgroup shows the Chinese population accounted for 23%, the Asian Indian population accounted for 19%, and the Filipino population accounted for 17% of all respondents who identified as Asian alone. Combined, these three groups accounted for 60% of the Asian-alone population. Vietnamese (11%), Korean (10%), Japanese (5%), other single Asian subgroups (13%), and two or more Asian subgroups (2%) accounted for smaller proportions of the Asian-alone population.

Asian Americans have struggled with the “perpetual foreigner” syndrome. A Stanford University study titled “Where Are You Really From?” examined Asian Americans and identity denial. The report cited a headline on MSNBC’s website during the 1998 Winter Olympics that captured the phenomenon of identity denial. The site ran the headline “American beats out Kwan” to refer to the victory of Tara Lipinski over Michelle Kwan, an American figure skater born and raised in California (Sorensen, 1988). Not only did this happen to Kwan once in 1988 with MSNBC, but then again in 2002 by The Seattle Times’ headline stating “American outshines Kwan, Slutskaya in skating surprise” (Fancher, 2002). Kwan was not characterized as a member of any particular out-group. She was not mistakenly labeled as a foreigner, nor was she ascribed any stereotypical trait. She was simply denied her American status, and for an American Olympic athlete, this would be a particularly painful rejection.
Based on the research, Asian Americans appeared to be much more likely to be mistaken for and mislabeled as being from another country or a non-native English speaker than European Americans. In fact, over 30% of Asian Americans reported that this was a common misperception, compared with 7% of European Americans. Repeated exclusion in this way can impact the day-to-day behavior of Asian Americans as they consider themselves part of a group where members constantly make them feel like they do not belong, especially when being American is central to one’s identity (Cheryan & Monin, 2005).

Identity denial shows up through recurrent and seemingly innocent questions, such as being asked what language one speaks or where one is from, reminding threatened group members that they do not look like they fully belong in the group. Ironically, the people reminding Asian Americans of their outsider status through seemingly innocent questions are often well intentioned and are even trying to be culturally sensitive.

Given that identity denial is something to be avoided, how does one appropriately strike a balance between appreciating and learning about another person’s heritage yet not deny that person his or her American identity? The current studies demonstrate that questions such as “Where are you really from?” and “Do you speak English?” are offensive to Asian Americans. In contrast, inquiries that are careful not to pit ethnic and national identities erroneously against each other (for example, “What is your cultural background?” or “What is your ethnic heritage?”) may be more effective because they serve the same purpose yet do not exclude the individual from being considered American. When one is seen as American, talking about one’s cultural heritage does not become an exercise in proving one’s American identity.
Look around the United States, and it becomes clear that Americans cut across the color spectrum. Yet, when asked to picture an American, many people immediately conjure up the image of someone Caucasian. As a consequence, Asian Americans are seen as less American, leaving many of them feeling like “a visitor at best, an intruder at worst” (Wu, 2002, p. 80). Understanding and addressing this phenomenon and the reactions to it are important steps toward a fuller awareness of group processes and toward making the United States, for citizens of all origins, a more welcoming place that lets all be their whole selves and thrive in the multiplicity of their identities (Cheryan & Monin, 2005).

Approximately 60% of Asian Americans are foreign-born, the highest proportion of any racial group nationwide. In contrast, only 38% of Latinos, 8% of African Americans, and 4% of non-Hispanic Caucasians were born outside the United States. The percentage of Asian Americans nationwide born outside the United States decreased from 63% in 2000 to 60% in 2007-2009. Nearly one in three of the 9.2 million Asian American foreign-born individuals entered the United States between 2000 and 2009 (Asian Pacific American Legal Center, 2011).

**Asian Cultural Values**

The impact of culture is an important topic in management research. According to many scholars, most notably Hofstede, core values formed early in life are likely to remain pertinent throughout one’s lifetime (Hofstede & Bond, 1988). This section examines Asian cultural values and how Asian Americans balance the intersection between Asian and American cultural values.

Because of the significant variations on migration histories among Asian Americans, it is important to understand both acculturation and enculturation.
Acculturation is the extent to which these individuals have adopted the dominant cultural norms of the United States while maintaining the norms of their original culture.

Enculturation was first defined and used by Herskovits (1948), who referred to the term as the process of socialization to maintenance of the norms of one’s indigenous culture, including the salient values, ideas, and concepts. Recently, enculturation was defined as the process of retaining one’s indigenous cultural values, behaviors, knowledge, and identity (Kim & Abreu, 2001; Kim, Atkinson, & Umemoto, 2001). Enculturation is particularly important with U.S.-born Asian Americans who may be socialized into their Asian heritage more fully later in life and hence engage in the process of enculturation at that time. Enculturation also places an equal level of focus on the process of socializing into and retaining one’s Asian cultural norms in comparison to acculturation, the process of adapting to the norms of the U.S. culture (Kim, 2009).

A model to help understand the psychological processes and outcomes of acculturation and enculturation is the bilinear model of adaptation used by Berry and others. The authors theorized the following four acculturation “attitudes” based on combining either high or low levels of acculturation and enculturation: integration, assimilation, separation, and marginalization. Integration is represented by individuals who become proficient in the culture of the dominant group while retaining proficiency in the heritage culture. People in this status are both strongly acculturated and highly enculturated (Berry, 1980; Segall, Dasen, Berry, & Poortinga, 1999).

Kim et al. (2001) noted that an important dimension of enculturation for Asian Americans is adherence to Asian cultural values. Cultural values refer to “universalistic statements about what we think are desirable or attractive” (Smith & Bond, 1994, p. 52).
Psychologists at the University of California, Santa Barbara, conducted a 1999 study that identified 14 Asian values. While differences were acknowledged among the extremely diverse Asian ethnic groups, they found that the traditional Asians tend to emphasize the following values:

- Collectivism
- Maintenance of interpersonal harmony
- Reciprocity
- Placing others’ needs ahead of one’s own
- Deference to authority figures
- Importance of family
- Avoidance of family shame
- Educational and occupational achievement
- Ability to resolve psychological problems
- Filial piety
- Conformity to family and social norms
- Self-effacement
- Self-control/restraint
- Respect for elders and ancestors (Hyun, 2005, p. 8)

This study also showed that these values did not differ significantly across generations since immigration. Still, there is a wide gap between Asian Americans’ behavioral acculturation, such as with food, clothing, and language use, and values acculturation when transitioning to a new culture, which could be a reason why even more acculturated second- and third- generation Asian Americans feel burdened by the values of their parents and grandparents (Kim, Atkinson, & Yang, 1999; Hyun, 2005).

The retention of Asian values has been observed in even fourth-generation Asian Americans (Min, 1995).

Leadership Education for Asian Pacifics (LEAP) conducts leadership training for companies as well as community organizations. LEAP developed a model comparing Asian American and mainstream American (Western) values (see Table 1).
### Table 1

**A Comparison of Asian American and Mainstream American Values**

<table>
<thead>
<tr>
<th>Mainstream (Western) Values</th>
<th>Asian American Values</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Spontaneity/casualness:</strong></td>
<td><strong>Self-control/discipline:</strong></td>
</tr>
<tr>
<td>• Importance of social skills, informal relationships</td>
<td>• Speaking only when spoken to</td>
</tr>
<tr>
<td>• Small talk</td>
<td>• Inner stamina/strength to tolerate crisis</td>
</tr>
<tr>
<td>• Acceptable to show full range of emotions</td>
<td>• Hiding emotions</td>
</tr>
<tr>
<td>• Flexibility</td>
<td></td>
</tr>
<tr>
<td><strong>Acceptability of questioning authority:</strong></td>
<td><strong>Obedience to authority:</strong></td>
</tr>
<tr>
<td>• Anticipation of problem areas, opportunities; initiation of</td>
<td>• Respect for those who lead</td>
</tr>
<tr>
<td>no fear of challenging or opposing authority; ability to push</td>
<td>• Loyalty</td>
</tr>
<tr>
<td>the envelope with parents, professors, bosses, clients</td>
<td>• Trustworthiness</td>
</tr>
<tr>
<td><strong>Promotion of personal accomplishments:</strong></td>
<td>• Follow-through on assignments</td>
</tr>
<tr>
<td>• Visibility (individual) is acceptable</td>
<td></td>
</tr>
<tr>
<td>• Rewards individual for outstanding actions</td>
<td></td>
</tr>
<tr>
<td>• Power perceived as individual power</td>
<td></td>
</tr>
<tr>
<td><strong>Tough, individualistic, and authoritative leadership:</strong></td>
<td><strong>Collective decision making:</strong></td>
</tr>
<tr>
<td>• Individual leadership</td>
<td>• Proving the sources (accuracy and attention to detail)</td>
</tr>
<tr>
<td>• Individual responsibility and ownership</td>
<td>• Collective responsibility and ownership</td>
</tr>
<tr>
<td>• Independence</td>
<td>• Interdependence</td>
</tr>
<tr>
<td>• Creativity and innovation</td>
<td>• Strong sense of teamwork</td>
</tr>
</tbody>
</table>


Cultural values can affect the way that Asian Americans display leadership as well as how Asian Americans are perceived as leaders. Because culture is difficult to clearly measure, and because many cultural values are shared by diverse groups, it may be difficult for Asian Americans to decipher which of their values are “American” and
which are specific to their Asian background. Managing these bicultural and at times conflicting values can be so stressful that some Asian Americans wind up rebelling against or resenting one of their cultures (Hyun, 2005).

The work of Berry (1980) indicates that immigrants may experience significant changes in their lives, at both the individual and group levels, as they adjust to a new culture. Berry suggests that the notion of stress plays a prominent role in the acculturation process as immigrants confront new cultural demands and attempt to cope with significant life changes. He also suggests that stress experienced during the acculturation process can impact psychological and sociocultural dimensions of adaptation.

While the following statement is not representative of all Asian families, it offers a reference point for understanding the potential changes and challenges that some Asian immigrant families may have to confront in their new lives in the United States. Dinh and Nguyen (2006) stated that

The traditional family in various Asian cultures is characterized by a strong patriarchal and patrilineal structure as well as a certain order in family life. For instance, gender, along with age and birth order, determines one’s role and authority within the family. Therefore, grandparents, especially the grandfather, are revered, the husband has more power than his wife, sons have more privileges than daughters, and the eldest son is considered the most important child in the family. However, this structure may be challenged when the family migrates to another culture, especially one that is significantly different in language, values, beliefs, and traditions. (p. 409)

**Concept of Self**

It has been said that where a view of the self as independent is dominant in American cultural contexts, a contrasting view of the self as interdependent is strongly sanctioned in Asian culture (Kitayama, Markus, Matsumoto, & Norasakkunkit, 1997). Because of this, people with this independent view of the self often describe themselves in terms of their unique internal attributes, such as their personal traits, preferences, or
attitudes. On the other hand, in Asian cultural contexts, people often hold a connected, more interdependent view of the self. In Asian cultures, the self is usually best understood by one’s relationships with others (Markus & Kitayama, 1991). People with this view of the self often describe themselves in terms of their social roles or group affiliations (Cousins, 1989; Imada, 2008; Rhee, Uleman, Lee, & Roman, 1995).

A significant cultural variable is how individuals relate to others. While others are looked at as a critical part of the social context for how the self is connected and assimilated for Asians, others also serve as important sources for Americans to be able to voice, get validation for, or assert the unique internal attributes of the self (Imada, 2008; Markus & Kitayama, 1991).

This poses a significant challenge for Asian Americans when performance management, recognition, and promotability in American corporations depend on a system where individual contribution and accomplishment is measured.

**Asian Americans in the Workplace**

Highly motivated and spurred by an intense cultural drive to achieve, Asian Americans represent a large portion of the student body of prestigious universities. Asian American students account for 18% of Harvard’s student body, 24% of Stanford’s, and 46% of UC Berkeley’s. The trends are similar at professional levels—medical, law, and business schools. Asians comprise more than 20% of medical school and 7% of law school enrollment (Hewlett & Rashid, 2011).

Asian Americans carry this high ambition into getting entry-level jobs at reputable companies after graduating college. Nationally, Asian Americans are 4.5% of the total adult U.S. workforce. Forty-seven percent of the civilian-employed single-race
Asian Americans 16 and older are most likely to work in managerial and professional jobs, such as financial managers, engineers, teachers, and registered nurses.

It is projected that in 2050, Asian Americans will still have the highest labor force participation rate at 65%. However, relatively few Asian Americans make it into the highest ranks of the government or business. Only 146 out of 6,349 (2.3%) career members of senior executive-level leaders are Asian American, according to a congressional audit released in May 2007 (Diversity Best Practices, 2008).

The Work-Life Policy research uncovered a rich reserve of ambition and drive among Asian American professionals, with much stemming from the inspiration of an immigrant parent or a parent living back in the home country. Furthermore, many Asian individuals, similar to other immigrants, have had to start brand new in the United States, with limited advantages in terms of relationships or cultural capital. They then compensate with motivation and hard work. Asians push themselves based on an acute cultural emphasis—with deep roots in Asian’s immigrant heritage based on hard work and achievement (Hewlett & Rashid, 2011).

The Work-Life Policy study showed that among survey respondents, 64% of Asian Americans aspire to a top professional job. Ambition is most prevalent among Asian-born women, 77% of whom aspire to a top job, with 86% of the Asian-born women coming from India and 76% of those women from China. Asian American men are also highly ambitious, with 66% of them aspiring to reach the top (Hewlett & Rashid, 2011).

As far as what factors Asian American respondents thought were most important in their work or career above all other ethnic groups, the highest two elements were compensation at 92% and a powerful position at 59%. Directly building on these
motivators, Asian respondents to the survey are equally likely as other ethnic groups to have directly asked a manager or supervisor for a pay raise or a promotion at work. Thirty-seven percent of Asians reported asking for a pay raise and 28% for a promotion, which is on par with other groups and contrary to perceptions that Asians are quiet and unassertive (Hewlett & Rashid, 2011).

However, when the aspirations of the Asian American professionals are compared to reality, a less glowing picture emerges, and despite their desire to reach the top of the corporate ladder, Asian Americans hit barriers that prevent them from doing so. Two-thirds of Asian American men who participated in the study felt stalled in their careers, compared with only half or less of other ethnic groups. The finding that Asian American men are highly ambitious, with 66% aspiring for top jobs, could also contribute to this statistic. As a result, Asian American men pose a significant flight risk, with 19% planning to quit their current jobs within the year. This is almost twice the rate for African American and Caucasian men. In addition, 41% of Asian American men reported that biases at work are severe enough to cause them to scale back or “brown out” (reduce their ambitions, work fewer hours, work less hard, or consider quitting). Thirty-one percent of Asian American women, the highest of any ethnic group, reported that problems of style and stereotype are severe enough to make them scale back (Hewlett & Rashid, 2011, p. 13).

**Mentors and Sponsors**

Mentors and sponsors are supports that Asian Americans can seek out to help with career growth and organizational fit. DiversityInc. defined mentoring as someone “talking with you,” a relationship that is often mutually beneficial for the purpose of developing themselves or navigating their careers. Sponsoring is someone “talking about
you,” usually someone within the organization at a more senior level or an individual with strong influence assisting a protégé in gaining visibility for particular assignments, promotions, and positions (DiversityInc. Best Practices, 2011).

According to the Work-Life Policy study, Asian Americans are the ethnic group least likely to have a mentor, at 46% (Hewlett & Rashid, 2011). Hyun, author of *Breaking the Bamboo Ceiling*, believes that Asian Americans do not seek out mentors and sponsors soon enough in their careers.

Multicultural professionals have to start working on getting a sponsor much earlier than those in the dominant culture. Asians need to establish credibility immediately after they start working because if they wait two to three years, people have already formed an opinion about them. (Quoted in Hewlett & Rashid, 2011, p. 15)

Many Asian American executives and professionals admit to focusing more on results and less on relationships at work. It is only in hindsight that they understand the importance of senior advocates. While Asian Americans came in fairly equal with other ethnic groups with regard to having a sponsor, they tend not to have sponsors of their own ethnicity, most likely since there are too few available. Only 17% of Asian Americans have sponsors of their ethnicity, while 89% of European Americans do (Hewlett & Rashid, 2011).

**Influence of Family on Career**

In the collectivist context, the accomplishments of the Asian American child reflect more on the worth of the family than the individual, and parents take responsibility for their children’s actions (Kim & Hong, 2007). Also, because of conflicts of culture and prejudice, the immigrant family takes on a new meaning in the United States. It is a place of safety, solidarity, and closeness. Fearing for their children’s future, many Asian American parents stress professions, which they perceive to provide
occupational and financial security (Inman, Howard, Beaumont, & Walker, 2007). Researchers have suggested that children from Asian immigrant families are often encouraged to pursue occupations that best help them to survive in U.S. society and to avoid those occupations that bring them into direct contact with racial and cultural discrimination (Sue & Frank, 1973). Moreover, Leong (1991) suggested that compared to European American students, Asian American students tend to place a higher value on selecting college majors and occupations that provide prestige, income, and social status, which function as a strategy to attain upward mobility and survival. This survival strategy can motivate Asian Americans to give up their vocational interests and pursue majors and occupations that provide them security and opportunities, which in turn impacts their interest-choice congruence.

These strategies for upward career mobility and survival can be better understood when looking at the societal changes and their impact in the Asian American community. Sue and Okazaki (1990) summarized that in the 1940s, Asian Americans were discriminated against and refused union membership, which functioned as a block for Asian Americans’ career paths. Also, in general, Asian immigrants at that time perceived career limitations and, therefore, avoided fields such as the social sciences and humanities, in which mastery of English and interpersonal skills specific to American society were needed. After World War II, technological advancements and an expanding economy demanded more educated professionals and white-collar employees. Fields in mathematics and sciences were more likely to emphasize technical competence, presenting opportunities for Asian Americans (Qin, 2010; Sue & Okazaki, 1990).
Impression Management

A 2004 study of Asian American managers sought to see if there is an impression gap between their perspectives, the perspectives of their subordinates, and the perspectives of their own managers with regard to their working relationships, examining the drop-off of perceived impact, visibility, and achievement when crossing over from individual contributors to leadership roles. Impression management was found to be related to performance ratings by supervisors, organizational citizenship behavior, supervisors’ liking for subordinates, and the quality of supervisor-subordinate relationships (Xin, 2004).

Effective individuals take active roles in determining how others perceive them. Goffman (1959) described impression management as behaviors aimed at influencing perceptions of others concerning oneself. According to Leary and Kowalski (1984), impression management may be seen as two separate processes—impression motivation and impression construction. While it did not examine Asian Americans’ impression motivation, the Work-Life Policy study did find that 64% of the Asian Americans who participated aspire to hold a top job, compared to 52% of European American participants (Hewlett & Rashid, 2011).

Taking a closer look at impression construction, Wayne and Ferris (1990) distinguished among three types of impression management in influencing supervisors: job-focused, self-focused, and supervisor-focused. Employees use job-focused impression management tactics to engage in behavior with the intention of creating a positive impression on the supervisor through the work tasks employees are doing. Self-focused tactics keep the supervisor informed of the employee’s accomplishments. Supervisor-focused tactics include non-job-related behaviors by the employee to please
the supervisor, such as taking an interest in the supervisor’s personal life and doing personal favors for the supervisor. Supervisor-focused tactics indicate a person’s willingness to communicate and help beyond the work duties. Consequently, these tactics are likely to evoke in the supervisor positive images of and feelings for these employees.

In the findings of Xin’s (2004) study, Asian Americans reported using different impression management tactics compared to European Americans. Although Asian American managers reported using job-focused tactics to a significantly larger degree than their European American counterparts, they reported using less self-disclosure and less self-focused and supervisor-focused impression management tactics compared to European American managers.

Overall, Asian American managers are significantly less likely to use impression management tactics, such as supervisor-focused tactics, that are positively associated with higher quality supervisor-subordinate relationships, but they are significantly more likely to report using job-focused impression management tactics. Unfortunately, these job-focused impression management tactics, without the supervisor-focused tactics, can result in a poor-quality supervisor-subordinate relationship.

However, Xin’s (2004) study surfaced other questions. Data showed that it may not be entirely the overuse of ineffective impression management techniques, but also the supervisor’s perception of the relationship. There was a significant gap with the Asian American managers viewing the supervisor-subordinate relationship more positively, while in the supervisors’ perspective, there was no association between the reported use of impression management tactics and the quality of the supervisor-subordinate relationship. In comparison, the ratings and view of the European American managers’
ratings were highly and significantly correlated with their supervisors’ views of the supervisor-subordinate relationship (Xin, 2004).

The findings call for a deeper examination of how Asian cultural values show up in the workplace, especially since scholars such as Hofstede believe that core values formed early in life are likely to remain pertinent throughout one’s lifetime (Hofstede & Bond, 1988). A deeper look at how Asian cultural values intersect with a corporate work environment seems warranted.

In his teachings, Confucius said, “A young man should serve his parents at home and be respectful to elders outside his home” (University of Idaho, 2000, para 1:6). Confucius taught that society is, by nature, based on unequal relationships. The *wu lun*, or five basic relationships, put people at appropriate levels: ruler/subject, father/son, older brother/younger brother, husband/wife, and older friend/younger friend. In each case, the lesser member of the dyad owes the other total loyalty, obedience, and respect. To step out of line is to go against this deeply ingrained set of appropriate societal roles (Xin, 2004). Asian children are sometimes taught to speak softly and not raise their voices, especially to those in authority. Respecting elders also affects body language, as it is customary in many Asian countries to cast one’s eyes downward in deference; direct eye contact is not always favored. In the United States, however, lack of eye contact may connote dishonesty, shiftiness, or lack of assertiveness.

In many Asian countries, the children or grandchildren care for their parents and grandparents, and quite often, Asian Americans carry on that tradition. This unwavering devotion to elders and superiors can be transferred to the workplace with superiors (Hyun, 2005).
That mindset of constantly being “in service” ties to a second major Confucian teaching that the individual is considered as a member of a family rather than as an individual. This view helps explain the high regard for collectivism, which is the belief that the group, versus the individual, is the most important unit in Asian cultures. However, there is high power distance in Asian cultures, especially between supervisor and subordinates (Xin, 2004). This may explain why the Asian American managers in the study chose to use fewer supervisor-focused tactics, which would require them to initiate getting to know the supervisor beyond the work setting.

In most Asian countries, there is not any flexibility for finding one’s voice or one’s self and figuring out one’s career path. The route is straight and narrow, beginning with college. It is necessary to know what one is going to be, and changing majors or switching careers is not easy (Hyun, 2005). That is different from in the United States where the individual is expected to be the driver of his or her career.

America was founded on the principle of freedom, including freedom of press, freedom of religion, and freedom from political persecution. The country has long operated on the basis of free-market economics. This encourages competition, individual gain, and entrepreneurship. It is the land of opportunity, regardless of one’s parents’ social status. Moreover, education is considered important but not always necessary to succeed in corporate America.

In *The Geography of Thought: How Asians and Westerners Think Differently—and Why*, which presents an interesting perspective on how Asians and Westerners think differently, Nisbitt (2004) described the absence of argumentation and discourse in Asia that seems to be second nature to Westerners: “North Americans begin to express opinions and justify them as early as the show-and-tell session of nursery school. In
contrast, there is not much argumentation or trafficking in opinions in Asian life” (p. 73). The Asian culture lives closer to the adage, “The loudest duck gets shot.” Americans tend to live the adage, “The squeaky wheel gets the oil.” In the corporate world, this translates into interpersonal abilities that aid career advancement (Hyun, 2005). This was seen for self-focused tactics in the earlier mentioned impression management study.

The virtues of hard work and conscientiousness are other Confucian beliefs widely held in Asia. One’s task in life is to acquire education, work hard, spend money carefully and wisely, and be patient. These teachings of Confucius could explain the job-focused impression management tactics discussed earlier that Asian Americans preferred. As seen in the study, these Asian core cultural values affect the way Asian American managers manage people and how they manage impressions (Xin, 2004).

**Asian American Leadership**

Asian Americans are relatively well represented in the federal workforce, comprising 6% (Equal Employment Opportunity Commission, 2008). The Equal Employment Opportunity Commission formed the Asian American and Pacific Islander Work Group and compared Asian American representation at different levels (that is, entry-level, mid-level positions, and senior executive positions). The study concluded that Asian Americans lack sufficient representation in executive-level positions in comparison to their representation in entry- and mid-level positions in federal agencies. An example is that Asian Americans are 11% of the Food and Drug Administration’s workforce, yet hold 14% of the technician positions and less than 1% of the senior executive positions (Bigelow, 2012).
In the corporate setting, Asian Americans are also well represented at lower and mid-level positions; however, they represent less than 2% of Fortune 500 chief executive officers (CEOs) and corporate officers.

Cultural values affect the way Asian Americans demonstrate leadership as well as how Asian Americans are viewed as leaders. Generally viewed effective leadership traits include assertiveness and decisiveness, and Asian Americans have been found to be less assertive in comparison to European Americans (Zane, Sue, Hu, & Kwon, 1991). Asian Americans’ leadership style tends to be defined by collaboration and a nonhierarchical nature, which can be viewed as ineffective characteristics of leadership in Western society. In the United States, public speaking and self-confidence are also valued as positive characteristics of leadership (Astin, 1993). The Asian cultural value of humility conflicts with this individualistic orientation of bringing attention and recognition to oneself.

A 2011 University of California, Riverside, study led by Sy looked at perceptions of Asian American leaders and found that they are not seen as ideal leaders or charismatic. The researchers sampled three groups of individuals—131 business undergraduates (67% having reported work experience averaging three years of full-time experience) from a large business school on the West Coast, a group of 362 employees, and a group of 381 employees in the Los Angeles region—and asked them to evaluate an employee. In one experiment, the group of 131 undergraduates and 362 employees received identical information about the employee’s expertise as an engineer or salesperson, but some were told the employee was Asian American and others that he was European American. In a similar experiment, the 381 employees assessed the employee’s leadership attributes. Study participants perceived Asian American engineers
as more technically competent than European American engineers and Asian American salespersons as less capable than European American salespersons. Leadership perceptions were higher for European Americans than for Asian Americans regardless of occupation (Sy et al., 2010).

In a February 16, 2011, article in the UC Riverside Today, Sy stated that

Across all three studies, our results indicate that when making between-race comparisons, Asian Americans are perceived as less ideal leaders than are European Americans. This suggests that Asian Americans may be disadvantaged relative to European Americans when organizational leaders make decisions about whom to promote to managerial positions. (Sy, 2011, para. 11)

The stereotype in the workforce is that Asian Americans are great workers, not great leaders. In the Western world, the ideal leadership prototype is charismatic, which is associated with extroverted Caucasians. Asians are perceived as competent, intelligent, and dedicated but lack the perception of charisma needed to be viewed as strong leaders.

Sy (2011) stated that in a past similar study, researchers found that Asian Americans are perceived to possess the necessary attributes for engineering occupations but lack the necessary attributes for the sales fields. Traits often associated with Asian Americans, such as social introversion, emotional withdrawal, verbal inhibition, passivity, a quiet demeanor, and a reserved manner, are not typically viewed as compatible with sales positions. The study found that even when Asian Americans were perceived to be more technically competent—such as Asian American engineers versus European American engineers—they still were perceived to be less ideal leaders than were European Americans. This suggests that organizations and leaders need to understand that there is a pervasive bias and a need to examine current practices (Sy et al., 2010).
“People are not even aware they have biases. It is subtle, pre-conscious behavior,” Sy explained. “Management needs to understand this is happening and needs to look at leadership selection and development. The awareness is there for African Americans and for gender issues, but not for Asian Americans” (Sy, 2011, para. 16).

Sy said it also is important to determine whether Asian Americans have the same motivations as European Americans to aspire to leadership positions. For example, many Asians in the West have come to believe that Caucasians make better leaders. “They look at the leaders in their organizations. If there are no examples of leaders of your race or gender, you’re less likely to believe you are leader-like and consequently you don’t aspire to be a leader,” he explained (Sy, 2011, para. 18).

At the same time, Asian Americans tend to believe that technical competence is the primary criterion for promotions, so they may focus their energy on improving their technical rather than their leadership skills, further perpetuating the cycle of bias. “Ultimately, promotions and leadership advancement of Asian Americans and other minorities occur in a competitive environment where they are compared with others, especially their Caucasian counterparts, who may be viewed as best fitting for a business leader,” Sy wrote. “Consequently, the extent to which Asian Americans and other minorities are perceived as less ideal leaders in comparison with others has significant implications for leadership advancement” (2011, para. 20).

While this may be the current view of Asian Americans as leaders, there is an emergent focus on different leadership characteristics, ones that align closely with Asian cultural values of humility, collectivism, and shared leadership. As pointed out by Invitation to Lead author Tokunaga (2003), Collins’ description of Level 5 leadership (see Figure 1) in Good to Great (2001a) is one example. Collins described these Level 5
leaders this way: “The most powerfully transformative executives possess a paradoxical mixture of personal humility and professional will. They are timid and ferocious. Shy and fearless. They are rare—and unstoppable” (Collins, 2001b, p. 67). There is a clear connection between these characteristics described by Collins and Asian cultural values.

While acknowledging that there are number of factors in addition to Level 5 leaders that take an organization from good to great, Level 5 leadership is a critical one.

In a *Harvard Business Review* article, Collins went on to say:

Good to great transformations don’t happen without Level 5 leaders at the helm. They just don’t. Our discovery of Level 5 leadership is counterintuitive. Indeed, it is countercultural. People generally assume that transforming companies from good to great requires larger-than-life leaders—big personalities like Iacocca, Dunlap, Welch and Gault—who make headlines and become celebrities. (2001b, p. 68)

![The Level 5 Hierarchy](image)


**Figure 1**

**The Level 5 Hierarchy**

**Asian American Executives in Corporate America**

Taking a closer look at Asian American executives in corporate America, while the U.S. population of Asian Americans is 4.8%, less than 2% reach the CEO or
corporate officer ranks of the Fortune 500. While there are few studies that have closely examined the 2% as a whole, some studies have looked at similar populations, such as executives of higher education or smaller segments of the corporate executive population such as the Asian American CEOs of the Fortune 500 or executive Asian American women.

One study explored the experiences of Asian American senior administrators in higher education. In this qualitative investigation, the authors conducted an in-depth exploration of the career trajectories of 10 Asian American senior administrators who had broken through the glass or “bamboo” ceiling (Hyun, 2005). Neilson and Suyemoto (2009) set out to answer the questions: “What are some of the individual characteristics that shape the success of these senior-level administrators? And how have the different cultural and linguistic backgrounds of these administrators facilitated or hindered their career development?” (p. 87).

Initial analysis resulted in the following characteristics: predetermination of career paths, salience of occupational career paths, professional opportunities outside the institutions, and the role of mentors. These results left Neilson and Suyemoto (2009) unsure if they had fully captured the essence of the participants’ experiences and realities. They realized that the experiences of the Asian American participants were framed using the experiences of participants in past research and therefore were analyzed and understood through a white Eurocentric perspective. The researchers took a step back and examined their own positions and biases through reflexivity and reframed the analysis.

Neilson and Suyemoto (2009) switched from a wholly deductive to a more mixed inductive-deductive approach. First, they inductively generated themes from the individual interviews. Participants’ stories clearly indicated the importance of Asian
cultural values in the trajectories of these administrators. Those cultural values and characteristics included working hard, working collaboratively, and taking particular kinds of risks—all characteristics associated with Asian cultures. Second, they reviewed literature related to Asian cultural values and, in doing so, deductively generated a new culturally specific framework.

In Neilson and Suyemoto’s (2009) research, they grounded the new analytical framework in Japanese cultural values. Five particular values originated in the Meiji period (1868-1912) and influenced Japanese, Japanese American, and Japanese Hawaiian cultures: *on* (ascribed obligation), *giri* (contracted obligation), *ningo* (humane sensibility), *enryo* (modesty in the presence of one’s superior), and *haji* (shame).

After revisiting the data with a Japanese cultural lens, new themes emerged which can be separated into three categories: hard work as moral obligation, collaboration as interconnection, and risk taking as sacrifice for the future (Neilson & Suyemoto, 2009). Neilson and Suyemoto’s (2009) study describes these categories as follows:

1. **Hard Work as Honor, Legacy, and Moral Obligation**—Participants repeatedly referenced hard work to achieve excellence. Hard work was an internalized expectation rather than a professional orientation. Moreover, it was not simply for purposes of career advancement but as an obligation to honor the legacy of hard-working family members.

2. **Collaboration as Interconnection in the Present**—Participants expressed a sense of interconnectedness and internalization of the concept of *okage sama de*—that people are extensions of one another and everything is connected.

3. **Risk Taking for the Sake of the Children**—A third theme that emerged was risk taking at pivotal moments in order to shape the future. However, the
experiences shared by the administrators in that study exemplified risk taking of a different nature. Motivations for risk taking among participants were making a point, doing the “right thing,” fulfilling a moral obligation, or righting a past wrong. In this way, risk taking reflects an additional cultural principle, *kodomo no tame ni*, which symbolizes working hard for future generations.

Another study looked at Asian American female leaders and set out to examine their paths to leadership from a feminist perspective. The themes that emerged from this research were as follows:

- Knowing thyself and doing something you believe in
- Having a vision and inspiring others to work on that vision
- Utilizing a relational and collaborative leadership style
- Taking on challenges, struggles, and conflicts
- Displaying dominant culture efficacy and biculturalism
- Having support and encouragement
- Influence of family
- Spirituality (Kawahara, 2007, p. 24)

**Executives and American Corporations**

When Miller of the Harvard University Research Center in Entrepreneurial History looked at the backgrounds of 190 men who were business leaders between 1901 and 1910, he found that 79% had fathers who were businessmen or professionals (Zweigenhaft & Domhoff, 2011).

Newcomer, the chair of the economics department at Vassar, studied the highest ranking businessmen of 1900, 1925, and 1950. She also found that more than 70% were the sons of businessmen or professionals (Newcomer, 1955). In his study of the top executives of 1950, Mills also found that about 70% were the sons of businessmen or professionals (Mills, 1956). This pattern has persisted. Writing in the late 1990s, Temin,
an economist at the Massachusetts Institute of Technology, found that the business elite had remained remarkably stable in terms of class background (Temin, 1996, 1997). As Mills put it: “To be compatible with the top men is to act like them, to look like them, to think like them: to be of and for them” (1956, p. 141). This pattern shows limited opportunity for leaders outside those circles reaching the top ranks of American corporations.

Looking even more broadly, in a report comparing the CEOs of the Financial Times and London Stock Exchange (FTSE) 100 and Fortune 100, key differences were found. Fortune 100 CEOs are less likely than FTSE 100 CEOs to be of a foreign nationality, are older, are more likely to have been promoted internally rather than externally recruited, have largely gained their experience in the United States, and are more highly educated. Only 10% of United States CEOs have foreign nationality, compared to 32% of the United Kingdom CEOs. Internal promotions were higher, at 86% with Fortune 100 versus 66% with FTSE 100 companies. United States CEOs also had less international experience with only 33%, while a significantly larger number of United Kingdom CEOs had international experience, coming in at 67%. Another significant difference is that the emerging trend of super CEOs (age 45 or below) has doubled in numbers over the last decade in the United Kingdom from six to now 12. In the United States, only two Fortune 100 CEOs are in that age range. There is also a rise in elite education, with both Fortune 100 and FTSE 100 CEOs holding advanced degrees more than in the past, with 59% of United States CEOs and 45% of United Kingdom CEOs having a master’s degree or higher. One thing that was common between the Fortune 100 and FTSE 100 was the lack of women CEOs, with the United States having two and the United Kingdom having three (Marx, 2007). The report stated,
In the U.S., these “global” leaders are harder to find. One could argue that the U.S. has sufficient home grown talent to fill its top company positions—that it doesn’t need to look elsewhere. We would question this assumption. If the U.S. market is not sufficiently open to global talent, top leaders will migrate to countries where they see different nationalities succeeding at the top of companies. This has the potential to be highly damaging for the U.S. and could see it facing long-term economic disadvantages, similar to the current gravitation of financial services from New York to London. (Marx, 2007, p. 3)

In Heenan’s book *Flight Capital: The Alarming Exodus of America’s Best and Brightest*, he said,

> The next global war will be fought over human capital. This comprehensive study of the reverse brain drain challenges the time-honored belief that the United States is the unchallenged repository of human capital. It is a fallacy that dies hard. But everything changed on 9/11. What had been a trickle of brainpower became a steady flow. Left unchecked, the outflow poses a serious threat to America’s security and scientific and economic preeminence. (2005, p. 1)

Based on Heenan’s research, until recently this reverse brain drain (reverse, since the flow of knowledge in the past came into the United States from other countries) had gone largely unnoticed. However, the mounting loss of exceptional minds can no longer be dismissed. U.S. brainpower, once thought to be untouchable, is very much up for grabs (Heenan, 2005). “Worldwide, ominous, and growing” is how Yale historian Kennedy, author of *The Rise and Fall of Great Powers* (1989), described the prevailing headwind. There is also a particular threat of top talent returning back to birth countries because of growing opportunities there and because of limited opportunities for career growth in American corporations.

This change does not necessarily represent the decline of the United States as much as the revival of the rest of the world. “For the first time in American history,” said Henry Kissinger, “we can neither dominate the world nor escape it” (Heenan, 2005, p. 248).
In relation to Asian Americans, the inexorable rise of India and China is forcing the largest companies to rethink the role of their Asian operations and transform their Asian outposts into strategic parts of their corporate decision making. For example, in 2006 IBM moved its chief procurement officer and operations from its New York headquarters to Shenzhen, China. That same year, Cisco relocated its chief globalization officer and a portion of the corporate staff from San Jose, California, to a new dual corporate headquarters in Bangalore, India. These shifts should create opportunities for global companies to attract and retain the very best Asians and Asian American executives who aspire to high corporate roles. It also means that Asian executives in Asia will interact with U.S. corporate organizations as they deal with global strategy, and they will run into the same cultural obstacles that their counterparts already see in the United States (Gee & Hom, 2010).

Conclusion

Based on current U.S. Census findings, a significant shift is occurring in U.S. demographics, which is affecting the workforce in corporations across the nation. However, minimal research has been conducted to understand the needs and opportunities to fully utilize the potential of the growing Asian American population, specifically with developing Asian American leaders in organizations. This study examines attributes that have enabled Asian American leaders to reach top-level positions in American corporations.
Chapter 3

Research Methodology and Procedures

This chapter describes the methodology used for this research project. It begins with the restatement of the research purpose and is followed by a description of the study method used. The chapter describes the study design, the sample, data collection, protection of human subjects, instrumentation, and an overview of the data analysis procedures.

Research Purpose

The purpose of this study was to identify attributes of Asian American leaders who have been able to retain their cultural identity while successfully furthering their careers in corporate America. While research has been conducted on the lack of Asian American leaders in the c-suite, or the top-level (c-level) positions in organizations such as chief executive officer or chief operating officer, little research has been done to identify the common attributes of Asian American leaders who have been successful, especially while being able to embrace their Asian culture.

Research Design

This study consists of a two-part design, using an online survey and one-on-one interviews. In this study, data was gathered using one distinct participant sample. Instruments used in each part contain questions resulting in quantitative and qualitative data.

Research Sample

The Asian American community is comprised of several subgroups, segmented by the different Asian countries of origin. However, over the past several years, those groups have begun working together, primarily to have a stronger collective voice as
Pan-Asians or Asian Americans. There are a number of organizations, both community- and professional-based, that Asian American leaders are involved in and that the researcher had been participating in. While the majority are Chicago-based, a few have a national presence as well. The organizations the researcher has worked with and reached out to in order to find potential participants for this study are as follow:

- Chicago Asian Affinity Group Leaders (AAGL)
- Asian American Institute (AAI)
- National Association of Asian American Professionals—National and Local Chapters (NAAAP)
- Organization of Chinese Americans—National and Chicago Chapter (OCA)
- National Association of Asian MBAs (NAAMBA)
- Leadership Education of Asian Professionals (LEAP)
- Ascend (Pan-Asian Leadership)

In addition to these direct connections, other close ties within the Asian communities also helped provide contacts. People within these networks connected the researcher to other Asian American leaders.

Another approach taken to reach potential participants was through various diversity and inclusion networks through work and professional social media forums. This expanded the reach to diversity and inclusion practitioners throughout the nation.

Success is defined in this study by the position the leader holds and the standing of the organization he or she is a part of. The sample population selected for the research consisted of Asian American leaders currently or previously in middle- to top-level positions at Fortune 600 companies. They had to be in a senior manager position or higher while at the Fortune 600 company. An online survey was open to all participants
meeting the defined criteria; and participants were chosen for face-to-face or telephone interviews based on availability and accessibility, with the intent of having as much of a mix of Asian ethnicities, gender, level, and generational differences as possible. The majority of the population was from the Midwest with the others coming from other parts of the United States.

Data Collection

Data was collected using a 10-minute online questionnaire and assessment along with a 45-minute face-to-face or telephone interview with a subset of the participants.

Part 1. Survey packets were e-mailed to all Asian American leaders who met the criteria \( n = 50 \). Each packet included the following items: an introductory cover letter (Appendix A) explaining the purpose of the project and a consent form requesting participation in the study (Appendix B). Upon receipt of the signed consent form, a link to the online survey was provided to them along with a unique identification code. The online questionnaire which includes the Suinn-Lew Asian Self-Identification Acculturation (SL-ASIA) Scale (Appendix C) was accessed through the provided Qualtrics survey tool. The Asian American leaders were asked to complete the survey within 10 days of receipt.

A modified version of the invitation letter was developed during the data collection period to increase participation rate. An abbreviated letter explaining the research, clearly identifying the criteria required for the research, and providing a link to another version of the online questionnaire was sent out and posted on Asian American social media forums. The letter was written in a way that individuals could pass it on to others in their networks who met the criteria without having to go back and forth with the researcher. (This is also shown in Appendix A.)
So that the participants’ rights could be clearly protected and consent received before moving on with the online questionnaire, the questionnaire was modified. It included the consent form and two additional questions validating the requirements that the participant was a senior manager or above of a Fortune 600 company (currently or previously). The individual’s position and the name of the company were also requested.

Each questionnaire was coded for the purpose of a potential follow-up reminder to increase the response rate. Later respondents were anonymous other than any information they provided regarding position, company, and the opt-in information for the one-on-one interviews. A list containing Asian American leader names and corresponding questionnaire codes for the group who responded to the original questionnaire was maintained by the researcher. The list was kept in a secure location, and no one other than the researcher and an assistant statistician had access.

**Part 2.** Forty-five-minute face-to-face or telephone interviews were chosen for Part 2 of this study. The interviews were held with a subset of the Asian American leaders who filled out the online questionnaire. The intent of the one-on-one interviews was to allow leaders to share their stories and personal reflections of experiences and factors that had contributed to their professional success.

The invitation to participate in the interviews was included in the initial introductory letter and consent form. That invitation and e-mail explained the purpose of the project and requested participation for the interviews as an optional second part. Those who opted in to the interview provided their names and contact information in the online questionnaire. After arranging the meeting times, a reminder e-mail was sent to all participants one week prior to the interviews. Some original respondents did not
participate in the interviews, so additional participants were selected until the desired minimum participation was achieved.

The in-person interviews took place in a quiet location with comfortable seating, in a location convenient for the participant. The interviews took approximately 45 minutes. Participants were asked to review the consent form (Appendix B) indicating the purpose of the study and to give permission to record their responses and use them in a research study. The questions were also provided to the participants beforehand to increase their comfort level and allow them to prepare their thoughts for the discussion. Adequate time was included for any questions. Consent for participation was obtained through the signed form or the checked box on the online questionnaire and by the voluntary decision of the participant to remain present for the interview. Background information was collected by means of the online demographic questionnaire that is included with the SL-ASIA Scale and requires approximately 10 minutes to complete. The researcher was positioned in a way that facilitates verbal and non-verbal communication. A digital pen recorder was used for both written notes and an audio capture of the conversation. The interview was started with the written list of questions, and potential prompts were available on the interview protocol guide (Appendix D) using a semi-structured format. No personal views were shared by the researcher during the interview.

**Protection of Human Subjects**

Institutional approval to conduct the proposed research study was obtained through Pepperdine University’s Institutional Review Board on November 22, 2011. As such, measures were taken to protect the human subjects. In addition, the researcher
completed the Human Participants Protection Education for Research Teams course sponsored by the National Institute of Health on October 25, 2010.

**Instrumentation**

The online survey questionnaire included 16 items used to obtain demographic data regarding gender; age; country of birth; primary ethnic heritage; educational background; current or previous position with Fortune 600 company; company name; and parent information regarding education level, country of birth, profession, and involvement in community. The SL-ASIA Scale (Appendix C) comprised the remaining 26 questions focused on individual experiences and perceptions related to acculturation, such as historical background, as well as more recent behaviors related to cultural identity. The format consisted of only multiple-choice questions.

In 1987, Suinn, Rickard-Figueroa, Lew, and Vigil designed the SL-ASIA Scale for assessing acculturation of Asians modeled after a successful scale for Hispanics, the Acculturation Rating Scale for Mexican Americans (ARSMA). Initial reliability and validity data were reported for two samples of Asian undergraduates totaling 82 (mean age 19 years) from two states in the United States.

The SL-ASIA Scale was validated by expert review and pilot study to obtain feedback and revision suggestions in 1992. However, recently, Suinn added six additional questions to measure values, behavioral competencies, and a self-identity score, which have not been validated. The entire 26-question scale was used as part of this research.

A follow-up report by Suinn, Ahuna, and Khoo in 1992 discussed the reliability and validity data on an extensive study of the SL-ASIA Scale involving a sample of 324 Asian American university students. Concurrent validity results show that the SL-ASIA scores were significantly correlated with demographic information hypothesized to
reflect levels of Asian American identity. For example, high SL-ASIA scores were associated with having attended school in the United States over an extended period of time, during which time the student’s Asian identity would have been reduced. Factorial validity was determined by comparing factors obtained for the SL-ASIA with factors reported for a similar scale measuring acculturation of Hispanics, the ARSMA. Of the four interpretable factors reported for the ARSMA, three were identified for the SL-ASIA.

Then, in 1995, Suinn, Khoo, and Ahuna published “The Suinn-Lew Asian Self-Identity Acculturation Scale: Cross-Cultural Information.” They used the SL-ASIA to conduct a cross-cultural examination of Asian acculturation. Two hundred eighty-four Asian American university students in the United States and 118 Singapore Asian individuals in Singapore completed the SL-ASIA and a demographic questionnaire. Chronbach’s alpha for the SL-ASIA was .79, reflecting reasonably stable data. Factor analysis identified five factors underlying acculturation scores: reading/writing/cultural preferences, ethnic interaction, generational identity, affinity for ethnic identity and pride, and food preferences. A one-way analysis of variance showed that Singapore Asians achieved a score indicative of Asian identity, whereas Asian Americans obtained a mean score indicative of higher Western acculturation.

The qualitative interview protocol was developed by this researcher to assess demographic data, Asian culture awareness, and experiences regarding Asian American leadership roles. The literature review, expert review, and pilot testing were used to establish the content validity and reliability of both the online SL-ASIA questionnaire and the face-to-face or telephone interview guide. Qualitative data was gathered to capture the stories and insights of the participants and to provide context for the
quantitative findings. The questions were centered around three main categories, the participant’s work, Asian American culture, and leadership. The questions were developed to build off the SL-ASIA, especially the influence of their parents and engagement in traditional Asian practices. In addition, questions regarding their work and leadership influences were included to better understand their individual leadership journeys, choice points that led them to where they were, and influential figures and experiences that supported their career trajectory along the way.

The qualitative interview protocol (Appendix D) included 15 interview questions and prompts. The qualitative interview protocol was developed by this researcher and included opening comments and introductory or warm-up questions related to characteristics of successful leaders. The next series of open-ended questions dealt with work history, Asian culture and upbringing, perceptions and values that influenced decisions to pursue leadership roles, barriers that had been overcome, as well as current involvement in professional networks.

An introductory cover letter consent form was e-mailed to 50 Asian American leaders in Fortune 600 companies. Once consent forms were received, unique codes and links to the survey were sent out to the participants. The target number of people to participate in the online survey was 30, with 9 being selected to participate in a face-to-face or telephone interview. They were asked to complete the survey within 10 days after receipt of their unique code and link. In the online survey was a question asking them if they would like to participate in the follow-up face-to-face or telephone interviews.
Data Analysis

Descriptive statistics were used to analyze the data obtained from the interviews. Measures of central tendencies, frequency distributions, and percentages were calculated as appropriate.

The online survey responses were also used to determine the participant’s level of acculturation. Lower scores indicated low acculturation (or high Asian identity) and higher scores indicated high acculturation (or high Western identity). Mid-range scores showed high bicultural identity.

All responses were tallied for the demographic variables. In analyzing the qualitative data, the researcher looked at all the responses in an effort to find similarities, differences, and themes. Several consistent themes of success attributes were identified for Asian American leaders in American corporations contributing to data triangulation, content reliability, and validity. Content analysis of responses to open-ended questions was grounded in theory. Responses were categorized to generate common themes. Coding, data entry, and data analysis were completed by the researcher and confirmed by an independent auditor.

Summary

In conclusion, this chapter provided a summary of the research methodology and procedures used to identify attributes of Asian American leaders who have retained their cultural identity while successfully rising to high ranks of American corporations. The study design, sample, data collection, human rights, instrumentation, and data analysis were presented in this chapter. Chapter 4 will describe detailed study findings.
Chapter 4

Findings

This chapter reports the findings of the study. The demographics of respondents to both the online questionnaire and the interviews are first detailed. Then, themes are identified and discussed.

Demographics of Online Questionnaire Respondents

There were a total of 32 online questionnaire respondents. Six Asian American ethnic groups were represented in the research. This was an open call to any leaders fitting the criteria; there were leaders of Chinese, Indian, Japanese, Filipino, Korean, and Pakistani descent (see Table 2).

Table 2

Survey Respondents’ Ethnicity

<table>
<thead>
<tr>
<th>Primary Ethnic Heritage</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chinese</td>
<td>14</td>
</tr>
<tr>
<td>Filipino</td>
<td>4</td>
</tr>
<tr>
<td>Indian</td>
<td>6</td>
</tr>
<tr>
<td>Japanese</td>
<td>4</td>
</tr>
<tr>
<td>Korean</td>
<td>3</td>
</tr>
<tr>
<td>Pakistani</td>
<td>1</td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td><strong>32</strong></td>
</tr>
</tbody>
</table>

The respondents were highly educated, with all holding a bachelor’s degree and almost 60% holding a master’s degree or higher (see Table 3).

Table 3

Survey Respondents’ Educational Background

<table>
<thead>
<tr>
<th>Educational Background</th>
<th>Count of Educational Background</th>
<th>Percentage of Educational Background</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bachelor’s Degree</td>
<td>13</td>
<td>40.63%</td>
</tr>
<tr>
<td>Master’s Degree or Higher</td>
<td>19</td>
<td>59.38%</td>
</tr>
<tr>
<td>Grand Total</td>
<td>32</td>
<td>100.00%</td>
</tr>
</tbody>
</table>
From a generational standpoint, all participants were either Baby Boomers (1943-1960) or Generation X (1961-1981) (see Table 4).

### Table 4

**Survey Participants’ Birth Generation**

<table>
<thead>
<tr>
<th>Generation Year of Birth</th>
<th>Number</th>
<th>Percentage of Generation Year of Birth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baby Boomer (1943-1960)</td>
<td>11</td>
<td>34.38%</td>
</tr>
<tr>
<td>Generation X (1961-1981)</td>
<td>21</td>
<td>65.63%</td>
</tr>
<tr>
<td>Grand Total</td>
<td>32</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

Thirty-one of the 32 participants were first-or second-generation immigrants. Only one of the 32 who responded was third generation (see Table 5).

### Table 5

**Survey Respondents’ Immigration Generation**

<table>
<thead>
<tr>
<th>Immigration Generation</th>
<th>Number</th>
<th>Percentage of Immigration Generation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1&lt;sup&gt;st&lt;/sup&gt; Generation</td>
<td>18</td>
<td>56.25%</td>
</tr>
<tr>
<td>2&lt;sup&gt;nd&lt;/sup&gt; Generation</td>
<td>13</td>
<td>40.63%</td>
</tr>
<tr>
<td>3&lt;sup&gt;rd&lt;/sup&gt; Generation</td>
<td>1</td>
<td>3.13%</td>
</tr>
<tr>
<td>Grand Total</td>
<td>32</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

As far as education of parents, 14 of the 32 respondents’ fathers had a high school education or lower, and 24 of the 32 respondents’ mothers had a high school education or lower (see Tables 6 and 7).
Table 6

*Education of Survey Respondents’ Fathers*

<table>
<thead>
<tr>
<th>Father: Educational Background</th>
<th>Count of Father: Educational Background</th>
<th>Percent of Father: Educational Background</th>
</tr>
</thead>
<tbody>
<tr>
<td>High School or lower</td>
<td>14</td>
<td>43.75%</td>
</tr>
<tr>
<td>Bachelor’s Degree</td>
<td>11</td>
<td>34.38%</td>
</tr>
<tr>
<td>Master’s or higher</td>
<td>7</td>
<td>21.88%</td>
</tr>
<tr>
<td>Grand Total</td>
<td>32</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

Table 7

*Education of Survey Respondents’ Mothers*

<table>
<thead>
<tr>
<th>Mother: Educational Background</th>
<th>Count of Mother: Educational Background</th>
<th>Percent of Mother: Educational Background</th>
</tr>
</thead>
<tbody>
<tr>
<td>High School or Lower</td>
<td>24</td>
<td>75.00%</td>
</tr>
<tr>
<td>Bachelor’s Degree</td>
<td>7</td>
<td>21.88%</td>
</tr>
<tr>
<td>Master’s Degree</td>
<td>1</td>
<td>3.13%</td>
</tr>
<tr>
<td>Grand Total</td>
<td>32</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

**Demographics of Interview Respondents**

Nine participants opted into the second part of the research by submitting their names and contact information in the Part 1 online questionnaire and assessment (see Table 8). Five of the nine leaders began their careers in technical fields, while the other four began in operations or service roles.

Similarities between the total 32 survey participants and the group of 9 interviewees that opted in were the mix of industries and levels. The interview participants also represented the majority of the ethnic groups that participated in the survey. However, the number of Chinese interviewees was exceptionally larger (6 of the 9) versus being only 38% of the total, or 12 of 32 survey participants. The interviewees
were also a fairly even amount of Baby Boomers and Generation X, which is comparable to the total survey respondents.

Compared to the total 32 survey participants, the group of 9 that opted in to the interviews had some differences. They were also more second-generation immigrants in the interviews (6 of the 9), where there were more first-generation Asian Americans in the total survey (19 of the 32).

<table>
<thead>
<tr>
<th>I D #</th>
<th>Position</th>
<th>Industry</th>
<th>Gender</th>
<th>Ethnicity</th>
<th>Immigration Generation</th>
<th>Generation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Vice President</td>
<td>Technology</td>
<td>Male</td>
<td>Chinese</td>
<td>2&lt;sup&gt;nd&lt;/sup&gt;</td>
<td>Baby Boomer</td>
</tr>
<tr>
<td>2</td>
<td>Director</td>
<td>Retail</td>
<td>Female</td>
<td>Chinese</td>
<td>2&lt;sup&gt;nd&lt;/sup&gt;</td>
<td>Baby Boomer</td>
</tr>
<tr>
<td>3</td>
<td>Senior Director</td>
<td>Financial</td>
<td>Male</td>
<td>Indian</td>
<td>1&lt;sup&gt;st&lt;/sup&gt;</td>
<td>Generation X</td>
</tr>
<tr>
<td>4</td>
<td>Director</td>
<td>Technology/Electronics</td>
<td>Male</td>
<td>Chinese</td>
<td>2&lt;sup&gt;nd&lt;/sup&gt;</td>
<td>Baby Boomer</td>
</tr>
<tr>
<td>5</td>
<td>Vice President</td>
<td>Materials</td>
<td>Female</td>
<td>Japanese</td>
<td>2&lt;sup&gt;nd&lt;/sup&gt;</td>
<td>Generation X</td>
</tr>
<tr>
<td>6</td>
<td>Assistant Vice President</td>
<td>Financial</td>
<td>Female</td>
<td>Filipino</td>
<td>1&lt;sup&gt;st&lt;/sup&gt;</td>
<td>Generation X</td>
</tr>
<tr>
<td>7</td>
<td>Director</td>
<td>Technology</td>
<td>Male</td>
<td>Chinese</td>
<td>2&lt;sup&gt;nd&lt;/sup&gt;</td>
<td>Baby Boomer</td>
</tr>
<tr>
<td>8</td>
<td>President</td>
<td>Technology</td>
<td>Female</td>
<td>Chinese</td>
<td>2&lt;sup&gt;nd&lt;/sup&gt;</td>
<td>Baby Boomer</td>
</tr>
<tr>
<td>9</td>
<td>Senior Manager</td>
<td>Utilities/Energy</td>
<td>Female</td>
<td>Chinese</td>
<td>1&lt;sup&gt;st&lt;/sup&gt;</td>
<td>Generation X</td>
</tr>
</tbody>
</table>
Themes

The interviews were centered around a few primary topics: the work these leaders do today and their career journeys to get there, their Asian culture and triggers that heightened their awareness growing up, and finally their leadership journeys and influencers along the way. The following common themes were pulled from the interviews as factors that contributed to their success:

- Learned early to integrate their Asian and American cultures
- Live and believe in the strong Asian value of hard work
- Willing to take risks and stretch themselves
- Learned from non-Asian mentors and influences
- Passion for teaching and developing others

Learned early to integrate Asian and American cultures. Psychology research on social judgments finds that bicultural individuals can exhibit the response tendencies associated with each of their cultures and that these individuals automatically switch between the two response styles depending on situational cues, such as culturally associated languages or images (Hong, Morris, Chiu, & Benet-Martinez, 2000). However, not all bicultural individuals respond the same way in situations related to culture. Some are able to adapt like chameleons and conform to the norms of the cued culture, while others, like contrarians, shift in the opposite direction. Benet-Martinez, Leu, Lee, and Morris (2002) linked the direction of response to biculturals’ identity structures, specifically the extent to which they represent their two identities (for example, Asian and American) to be compatible as opposed to conflicting. Biculturals with integrated, compatible identities tend to respond assimilatively to cultural cues (for example, they make more individualistic judgments than otherwise when in situations
that prime American culture), whereas those with less integrated, conflicting identities respond contrastively (for example, they make more collectivistic judgments than otherwise when in situations that prime American culture).

In this current study, the majority of the participants learned to integrate their different cultures at an early age. Of the nine interviewees, six grew up in European American neighborhoods and one attended an English-speaking school as a child in his originating country. Six of the nine interviewees were also second-generation Americans. However, their enculturation, their retention of their indigenous or Asian culture, was still highly present in their stories and responses. Examples of traditions, food, and family stories passed on regarding their ancestry and history kept the participants connected to their Asian culture. However, for those who grew up with other Asian Americans, they found that their friends’ households were a lot more traditional in language and practices.

“My parents were interesting. They were very conservative, but they weren’t very traditional,” said one interviewee. Four of the nine interviewees rebelled as children, refusing to go to their ethnic language school, but they respected and followed the traditions and practices of their parents and family at home. Some found community and places of worship as a way for them to get support and gain a deeper understanding of who they are.

These stories support the survey findings that, somehow, these leaders have found a balance of their Asian and American (Western) cultures. Their examples reflect this constant dance and tension between the two cultures, yet there was an openness that allowed them to have high acculturation while having high enculturation.
Figure 2 shows the survey participants’ responses to questions 22 and 23 of the SL-ASIA, which related to values. When asked how much they believed in Asian values and then how much they believed in Western values, the majority of the respondents believed equally in both, showing a high bicultural-identification at 60%. This compared to 31% Asian-identified and 9% Western-identified.

**Figure 2**

*Survey Respondents’ Belief in Asian and American (Western) Values*
Figure 3 shows a similar response to how much the participants feel like they fit in Asian and then in Western cultures. Results showed that there was an even higher bicultural rating, 66%, when it came to fit, with Asian-identified responses coming in at 19% and Western-identified at 15%.

![Survey Respondents’ Sense of Fit with Asians and Non-Asians](image-url)
When looking at the SL-ASIA scores from questions 1 to 21 that were primarily focused on behaviors and day-to-day activities, the scores were more evenly distributed; however, they were still more heavily weighted as bicultural (47%), while 19% of the responses showed up as more Asian-identified and 34% as more Western-identified (Figure 4).

![SL-ASIA (Questions 1-21)](image)

**Figure 4**

*Survey Respondents’ SL-ASIA Scale Scores*
When asked directly to assess their acculturation, the respondents saw themselves as almost evenly split between the three identities. Bicultural-identified responses were at 41%, Asian-identified responses were 34%, and Western-identified responses were 25% (Figure 5).

**Figure 5**

*Survey Respondents’ Self-Assessment of Acculturation*
Strong Asian value of hard work. A common theme among the interviewees was the value of hard work and how they associated it with their Asian roots, with three of the nine leaders developing their strong work ethic at an early age, getting their first jobs at 13 and 14 years of age. Every interviewee was either first- or second-generation Asian American, so the immigrant experience was still fresh and firsthand for them—both watching and experiencing the struggles and sacrifices their parents made to give their families new opportunities and possibilities in America and experiencing firsthand having to start brand new, with little to no family support in this new land. All told stories of remarkable resilience and some drew inspiration from their immigrant stories. Whether that inspiration was rooted in appreciation for what they or their parents overcame or a desire to not suffer as they had growing up, they used it as fuel and the common outcome was a focus on hard work, a core Asian cultural value. One of the interviewees was born at the start of the Chinese Cultural Revolution. Her grandfather was a CEO of a company in China. The government promised him that he would keep his position and personal assets, so he did not leave the country. However, everything was taken away and the grandfather had to work three-shift days in the fields. The family was poor, but the interviewee was the eldest of the grandchildren so was sponsored to come to the United States for better opportunities. The airfare was all this leader’s family in China could afford. This leader arrived in the United States with no family and no money, starting from scratch and waiting tables in Chinese restaurants, sometimes working three jobs at a time to get by. The interviewee also managed to support herself through graduate school along the way. When things were tough, what this leader thought was, “If I feel it’s not fair, I accepted the fact that it was my choice to come to this country. I wanted to make
changes and come here. And so I feel like I want . . . I need to work hard and to earn. I
think that’s been my mentality all the time.”

Another leader’s immigrant story captured the challenge of migrant families
having to split up in order to reach for the American dream. He explained,

My father came over in the 30s, and in those days you weren’t allowed to bring
your spouse along with you, so he left my mom back in China. He came over here
basically as a laborer. Never got an education. Worked as a butcher. Even though
he joined the union, he was never given the best job because there was a lot of
discrimination in those days. So he did that. He worked in restaurants. He did all
that and finally in the 1950s—I have three older sisters, so they left two of the
sisters behind in Hong Kong because they were already older. They brought my
youngest sister who’s 18 years older than me, came over with my mom, and then
I was born the next year.

My parents were, like I said, they were laborers, so my dad always was on
and off from work, always trying to put some food on the table, and my mom was
the typical seamstress in Chinatown. You know, that’s the only thing they can do
so they worked in the sweatshops.

“My parents instilled in me the value of hard work” was a comment heard many
times in the interviews, along with having this desire for perfection, not fearing difficult
assignments, and putting in the hours and effort needed. There was an observation about
differences in the next generation:

My kids have picked up on the desire to work hard as well. However, I worked
hard and I would be willing to work hard because I wanted to be better, whereas I
noticed that my kids are more—a job is a means to an end, not the means itself.

As children of immigrants or immigrants themselves, many of these leaders grew
up without economic privilege, and most described themselves as “growing up poor.”

This is contrary to an analysis of the Fortune 500 CEOs in the book, *The New CEOs*. One
of the conclusions of the Latino and Asian American Fortune 500 CEOs was that at least
half of them, both men and women, came from economic privilege, and especially those
born outside the United States were from upper-middle or upper-class backgrounds
(Zweigenhaft & Domhoff, 2011). It should be noted that while a few Asian American leaders at the c-suite level were invited to this study, none participated.

**Willing to take risks and stretch themselves.** Another common theme across each of the interviews was the constant turns and changes in their careers and their ability to stretch themselves beyond their comfort zones. While there were points in their careers that they felt inhibited by being an introvert, not comfortable with speaking in front of others, making decisions, or being forced to go on their own to put themselves through college or support their families, they found ways to overcome and thrive.

Each of the leaders continuously looked for, and was open to, new challenging assignments, no matter how difficult or different the work was. They moved around to different roles and assignments, some as drastic as going from public relations to information technology or from being a systems engineer to working in human resources. They were willing to take on big responsibilities, assignments that “no one else wanted” or were known for being able to turn around failing business units or projects.

One of the leaders told himself and other Asian Americans he mentors, “Force yourself. You’ve got to think, you’ve got to listen, you’ve got to come up with something, but you need to break in there and say something. Don’t ever leave a meeting without saying anything.” He shared that he learned to turn it on and off but that to this day, he is still naturally an introvert.

A common thread in their stories was the ability to overcome fear. Their ability to not fear challenging, new, different assignments stemmed from their belief in themselves to take those challenges on. One of the leaders shared,

I have a philosophy of “If not me, than who? Or, if not you, than who?” Like my son, I would always coach him and say somebody’s gotta be number one, why shouldn’t it be you? And, even though that may sound cliché, it’s amazing how
many people don’t think that way. They think there’s always gonna be someone else to do that.

The majority of the women Asian American leaders interviewed discussed their having to balance work and family. One of them commented, “You can’t fear taking a step sideways or back to change your career, to balance work and family, to follow your strengths and passions.”

**Learning from non-Asian mentors and influences.** All of the leaders could remember a point in their careers or their lives when the actions or feedback of someone non-Asian opened their eyes and minds to new information about their surroundings and themselves. The impact of these individuals believing in them and supporting them opened them up to opportunities they had not thought of before. As mentioned earlier, all of these leaders began in technical, operations, or service roles. Most were so busy being the best in their technical fields that they were not thinking about other career paths, such as leadership. By colleagues, managers, and others playing an informal mentoring role, sharing that they thought these Asian Americans had leadership potential, it enabled them to open their careers up to greater possibilities.

One interviewee reflected back early in her career as an entry-level job applicant when one of the officers of the company asked her to join a meeting to get her point of view on a business issue they were having and again as an executive assistant, being offered a hand of support from a leader. “Those things made me question my belief about hierarchy.”

Most of the leaders were approached directly by people they came to trust, raising their awareness of American culture or of the culture of the organization. One interviewee reflected on the best lesson he ever got and that he carried with him his entire life.
After about six months on the job, my mentors on my team literally took me into the conference room and said, “You’ve got to learn to speak up. We know you’re smart, we know you know your stuff, and you never say anything. You’re never going to make it in this company if you don’t speak up.”

He continued,

I mean I trust these guys. They were my heroes and from that point on, I told other people and coached and mentored them with the same feedback. I also share this with my child, that what you want to do in a meeting is listen but also to say something. You don’t want to just repeat what someone else said, but what you have to say.

Another example from the interviewees was from one who came to the United States as an adult, as an experienced leader. As a senior leader of his organization, he had been doing well and was highly competent in his work. During an offsite meeting, he and his leadership team went out for dinner. He shared his story:

I don’t drink. I don’t eat meat. I don’t socialize with topics I’m not interested in, and I’ve still not developed that well. Others were talking around me. I stood there with my arms crossed and left the event not feeling good. So much so that later that evening, I told a [European American] colleague, “I don’t think I fit in this culture. I think I need to go back home. I just don’t feel like I fit into these extracurricular activities and things.” That colleague, who was sensitive to Asian culture because of ties he has with his family, was observing me; however, he didn’t realize what was going on or what I was experiencing. We talked about it and returned to work. I didn’t feel good, but we got back to work and things eventually got normal.

A week later, that colleague returned to talk with me. He took me into a conference room and said, “I want to give you some feedback. Do you remember what happened a week back?” I said, “Yeah. I felt bad. I didn’t want to even come to these things anymore. I will pretend I’ll have a conflict and I won’t show up.” He said, “That’s exactly what I want to talk to you about . . . I know your culture. I appreciate your culture. I want to tell you something. You don’t have to adapt all the time. Others around you also have to adapt to you.” That was a fantastic statement he made to me and I told him, “Man, you just gave me a lot of confidence.” We continued to talk about the experience of that night.

He told me, “Your food came first. You just looked at your food. You didn’t even look at what others were talking about.” I said, “I did not know how to engage in the conversation because I do not understand the conversation you guys were talking.” He said, “Yeah. You could’ve talked. You travel a lot. You enjoy cricket. You could’ve talked about it. No one knows you. No one has ever gone outside the U.S. yet. You know so much. Why don’t you start a conversation?” I said, “I couldn’t find space. You guys were talking loudly, and I couldn’t find space to insert myself.” And he said, “Yeah. But you could have
said, ‘Hey, I have something to talk to you about’ to your neighbor and then the neighbor would get engaged and then the next person would get engaged. You should have done that.” He then said, “I want you to know this because I think we were bad to you.”

While the Asian American leader did not see the others as being bad, but that he just did not fit in, by the two of them having the courage to open up and have honest dialogue, they learned lessons that changed their lives and deepened their relationship.

**Passion for teaching and developing others.** Teaching and developing others are shared passions among these leaders. All of the leaders mentor others, mostly informally, and use those opportunities to share what others have shared with them. A number of them either aspire to teach or are currently teaching part time at universities or in other settings.

They love to teach in their role as a leader and to see people develop and grow. The teaching is not often directly connected to other Asian Americans but to more of a general audience.

**Pieces of Advice**

The interviewees were asked if there were any pieces of advice that had made a significant impact in their careers that they wanted to pass on to others. Their responses are summarized below, with additional comments included.

- Ask questions and dig deep within yourself and with others

As Asians, we have to be able to learn to question our attitudes and even our values. What I find is that when you start to question your attitudes and even your values, you may determine that it’s not the right thing for you. So then you make the appropriate changes. Then you actually set yourself on a course of improvement.

Don’t be afraid to ask for help. Ask why. Asking “why,” I would say, is the biggest thing because every time you ask why, you actually create a new connection. Many times, people are not fully clear about what they are saying or asking for. When you ask why, it forms a new bond because now you find the answer together.
“Learn by asking questions. You can also teach by asking questions.”

- Don’t fear your strengths
  “Don’t be afraid to work hard and to be smarter than other people.”

- Develop your communications skills
  Develop your speaking, writing, and communication skills, because your ability to communicate clearly to people makes all the difference in the world.

- Be flexible, be humble
  “You learn, sometimes even more so, from those experiences that don’t go well.”

- Be true to yourself
  There was a point in my career that I made the decision that I am not going to be defined by other people’s perceptions of me and my job and my work. I’ve got to do that and if I’m going to do that, the best thing I can do is redefine success. I saw it as bringing others along with me, not that it was just about me.

  No matter what others tell you, you ultimately have to make the decisions in your work, about your people . . . just do the right thing. I’ve gotten opportunities where I’ve been told, “I’m asking you to do the job because of who you are, not because of who they think you need to be.”

  “Learn how to step out of the box while still being your authentic self.”
Chapter 5

Summary, Conclusions, and Recommendations

Common attributes among Asian American senior leaders were that they learned at an early age to integrate their Asian and American cultures, they live and believe in the Asian value of hard work, they are willing to take risks and stretch themselves, they have learned from non-Asian mentors and influences, and they have a passion for teaching and developing others.

This chapter identifies limitations of the study as well as possibilities for future research. It also includes a summary and conclusion of the findings. Recommendations from the researcher are provided for emerging and established Asian American leaders, organization development and learning practitioners, as well as for American corporations.

Limitations

A couple of limitations regarding the respondents were the number of participants and the diversity. While there were a handful of leaders who responded immediately and supportively to the invitations, for the most part it was a challenge to get the number of participants aimed for. Part of the earlier challenges were in the complexity and number of handoffs back and forth between the respondent and researcher; however, even after that was adjusted, participation was slow to trickle in. A consideration with the responsiveness is that the pool of qualified participants is limited. Again, there are only 1.9% of Asian American corporate officers in the Fortune 500 (Hewlett & Rashid, 2011). When the study was posted on professional social media platforms and with the researcher’s professional networks, dozens of responses were received from colleagues throughout the nation expressing their surprise that after looking through their own
networks, they were not able to identify one person who qualified. However, there were also responses from individuals concerned that they were not “Asian enough” or who were too busy to participate. The latter reinforces the theme that surfaced from the interviews, as well as past studies, of how Asian Americans value and invest in hard work.

In addition to adjusting the response process, the criteria were expanded to meet the number of participants desired. The original criteria were current senior-level (senior manager and above) Asian American leaders of Fortune 500 companies. The revised criteria became current or past senior-level (senior manager and above) Asian American leaders of Fortune 600 companies.

As far as diversity, while c-suite leaders were invited, none participated. There was one former president of a Fortune 500 company that participated. However, all others were at the senior manager to senior vice president levels. This limits the perspective shared from the c-suite and president levels.

In addition, all but one participant was first- or second-generation American. The experiences of third-generation or later senior leaders are not captured in this study. These leaders would have differing experiences having grown up primarily in the American culture, possibly enculturing into their Asian culture at a later age or not at all. It would be interesting to see if there are commonalities with the level of bicultural identity in the later generations or if they identify more with Western culture.

Another diversity limitation is the number of ethnic groups that participated. Asian American leaders from only six Asian ethnic groups participated (Chinese, Asian Indian, Filipino, Japanese, Korean, and Pakistani). It would have been preferable to get a broader mix that represents a diagonal slice, or sampling, of that population.
Unfortunately, the researcher did not locate detailed information regarding the population of Asian American corporate officers, other than CEOs or board members. In the 2010 U.S. Census, the detailed Asian groups with one million or more responses for the Asian-alone-or-in-any-combination population were Chinese, Filipino, Asian Indian, Vietnamese, Korean, and Japanese (U.S. Census Bureau, 2010b). With Vietnamese Americans as the fourth largest Asian American population, it would have been ideal to have Vietnamese American leaders included in the study.

**Recommendations for Future Study**

One possibility for future study would be Asian American women in corporate leadership. Most of the Asian American women leaders (four of the five) in the study brought up challenges faced with balancing work and family. Family was defined broader than spouse and children; it extended to parents, grandparents, and extended family as well. There is value in another study examining and capturing the stories of those women who have been able to balance their personal drive to get to the top with the often-traditional expectations of the female role at home. A common theme among most of the Asian American women was taking steps back or sideways in their careers for family.

One female interviewee described her experience and her ascent back to her senior leader position after taking steps back for her family. She discussed the deeply socialized perception growing up of the role of an Asian woman, of wanting to have a husband and believing in the family. However, as much as she tried to rely on her husband, he could not support the family and so they divorced and she needed to work and support her children. She worked hard, took her kids with her to Asia, to other states, wherever she could get work, and her career grew. However, there came a time when she
had to find balance. “I took a couple steps down,” she said, choosing to take a less time-demanding position in a new company to have time for her young children.

So I adjusted the way I’m talking and adjusted the way how I approach people and hide a lot of my credentials before. When I started to build good relationships and earned the trust from them, then later I see what I can offer and I gradually depend on the situation and I do it.

The complexity and social conditioning that Asian American women have to face and come to terms with, especially those who have reached higher levels of leadership, is an area of study worth looking into further.

Another possible body of work is examining the differences and similarities within the subgroups of the Asian American community: South Asian, Southeast Asian, East Asian, Pacific Islander. This would be helpful to better understand the more granular communities within the Asian American population and to understand each group’s acculturation into American culture and enculturation of their own cultures.

For example, the Southeast Asian group is one that is often overlooked, especially when Asian Americans are looked at as a whole group. Vietnamese Americans are the fourth largest subgroup population, but their statistics differ significantly from that of the other subgroups. While Asian Americans, in general, have the highest education rate with 48.9% holding a bachelor’s degree or higher, when looking at the Southeast Asian subgroup, the number drops significantly, even below the national average of 28.2%. Vietnamese Americans average at 25.5% holding a bachelor’s degree or higher, while Cambodian Americans average at 16%, Hmong Americans at 14.8%, and Laotian Americans at 13.2%. Approximately half of this population is first generation and many of those first-generation immigrants are refugees (Southeast Asia Resource Action Center, 2011).
Another potential future area of study is how Asian Americans make it to the c-suite, examining how they are developed internally or if they have to move from company to company to get to the top. It would be interesting to see if there are best practices in developing Asian American leaders into the c-suite or as successors within major corporations.

Research on how Asian Americans are helping other Asian Americans develop and move up the corporate ladder would aid in understanding whether Asian Americans are helping or hindering the current situation. In a study of U.S.-based law firms by Bigelow (2012), Asian Americans represented nearly half of all minority associates, making them the most established minority group at the associate level. However, Asian Americans have the lowest conversion from associate to partner of any minority group. Results of the research were surprising. It was expected that European Americans would favor other European Americans but that Asian American partners also preferred European Americans was a surprise. This result seems counterintuitive given that one would expect that Asian American partners would relate to the struggle Asian American associates face and thus push for their promotion.

Early research on inter-group relations suggests that members of disadvantaged groups internalize biases held against them and then display an inferiority complex at the group level (Allport, 1954). More recently, researchers employing the system justification theory (Jost, Banaji, & Nosek, 2004) argued that because disadvantaged groups find it exceedingly challenging to contest or refute the integrity and authority of systems and organizations, they accept their inferiority as legitimate and are motivated to rationalize the status quo. In doing so, underprivileged groups reinforce negative stereotypes about members of their ingroup.
According to the study, using system justification theory, the Asian American partners rationalize the status quo and, in doing so, give preferential treatment to European Americans. This, combined with ingroup-favoring evaluations on the part of the European American partners, places Asian American associates in a substantially disadvantaged position as they appear to be discriminated against by both European American and Asian American partners (Bigelow, 2012).

Conclusion

In conclusion, this study captured the stories of resilient, driven leaders, from their early years growing up to their adventurous career journeys, full of turns and twists, some self-initiated, some unexpected. While different in context, their stories surfaced common themes and attributes such as strong Asian values with regard to hard work; willingness to take risks; seeking and receiving mentoring and guidance from others, especially non-Asians; and having a passion for teaching and developing others. They were children of immigrants, if not first-generation immigrants themselves, and the mindset of hard work was instilled in them.

An important point that showed up with both the SL-ASIA as well as through the interviews was that these leaders had found a way to integrate and embrace the strengths of both their Asian and American cultures. This was key to their success. Many shared the impact on their lives and careers of someone acculturated in either the American or the corporation’s culture reaching out to them to offer feedback and mentoring.

Past research on judgment has found that Asian Americans with high bicultural identity integration assimilate to norms of the cued culture (for example, they exhibit typically American judgments when in situations that cue American culture), whereas Asian Americans with low bicultural identity integration do the opposite, contrasting
against the cue (for example, they exhibit typically Asian judgments when in American situations). A 2010 study conducted by researchers from City University of Hong Kong, China, and Columbia University, New York, found similar results when looking at creative expression among Asian Americans (Mok & Morris, 2010). This may help explain how the Asian American leaders have been able to manage and balance their identities. Through high bicultural identity integration, they are able to call upon their American side to respond to situations in American settings, while also being able to call upon their Asian side when in Asian settings. By embracing both identities, rather than resisting one or the other, they are effectively able to navigate both worlds.

Emerging Asian American leaders can use the stories of these participants as a guide along their journeys and they can learn from these experiences, particularly by proactively asking for help early in their careers. Seeking out trusted colleagues or mentors to learn about the culture of the organization or to get feedback on how they are showing up can provide valuable pieces of input that can raise a young leader’s awareness. One challenge with this is that in collectivist cultures, such as Asian culture, the emphasis is on the good of the whole and less on the individual. However, in American culture, it is expected of leaders to speak up for themselves and to ask for what they need. This awareness of the individual self and the ability to communicate needs are skills that will benefit Asian Americans and ones that they will need to grow and nurture. One way of doing so is through continuous development of the individual’s self-awareness. As Asian Americans strengthen their self-awareness and are able to practice and get clear on their strengths and weaknesses and build their capabilities in asking for help, they can more effectively and confidently ask for support.
Tools such as the Johari Window can help individuals look inward to gain deeper understanding of who they are and how to continue to expand that awareness and sharing. Another way Asian Americans can deepen their understanding of themselves is to become aware of their strengths. Assessments such as the StrengthsFinder, the Myers-Briggs Type Indicator, or the INSIGHTS Inventory Tool or experiential workshops such as Gestalt can help surface characteristics and strengths that individuals have to begin the process of self-discovery. Asian Americans can also journal and reflect on the strengths of their Asian identity and then the strengths of their American identity. As a Filipino American, the researcher began to become truly aware and awake to her Filipino identity in her early 30s. However, it was not until she had traveled internationally to Lyon, France, at age 38 that she awoke to her American identity.

Asian American senior leaders, such as the ones who participated in this study, also have a key role in narrowing the gap at the top. Many of the leaders in the study made the comment that they were curious about whether their experiences and observations were “just them.” While the context was different, there were many similarities that surfaced. One way to break through the “bamboo ceiling” is to acknowledge and open up the dialogue about the group-level differences and experiences. Asian Americans at the senior executive level are pioneers in their own right, and they could pave the way for future leaders by sharing their stories and experiences with the Asian American community as well as with American corporations. They could also take deliberate action to mentor young Asian Americans so that they do not have to “start from scratch” but can build on the shoulders of giants.

Five of the nine leaders interviewed had significant involvement in their company’s Asian employee or business resource group. One had been a founder of the
group, another was an executive sponsor, and one of the vice presidents was the existing leader of the Asian American business resource group. These organizations offered opportunities to develop their leadership abilities in a safe environment, mentor and develop other Asian Americans, and help their organizations.

One example of the impact one interviewee and his employee resource group leadership team had was at an annual conference for their group that drew more than a thousand people. He said,

And it was really incredible ‘cause that is where we really woke up, so to speak. Where we identified issues that Asians seem to have. And as you know in the engineering and sciences, we know Asians have a tendency of gravitating towards because we have the least barriers to entry, so to speak, right?

He continued,

And so, we were kind of leaders identifying the fact that Asians really do want to become managers or at least a lot of them do. They want to enjoy the fruits of their labor and this was, believe it or not, news to management. They always thought we were happy just doing our thing and being quiet and not, you know, rocking the boat. So the fact that we started rocking the boat was an eye opener.

“Throughout those years we got courses started, we created curricula for managers, you know, non-Asian managers to attend on how to manage Asians and on and on, so went to that whole process.” When asked when this took place, he responded, “Through most of the 80s.” This is the impact leaders can make on the next generations.

Senior leaders can get involved in their company’s Asian American employee resource groups. They can exercise a strength they already have and lead it or leverage their passion for teaching and mentor the existing leaders, who may have had minimal leadership experience prior to that role.

In the broader picture, in order for Asian Americans to achieve their highest aspirations, Asian Americans have to believe in their self-worth as individuals and as a collective whole. They have Asian roots and they are American, which gives them a
diverse range of strengths and perspectives that will add value to organizations and communities throughout the world. Together, they can also utilize their experiences and knowledge to invest in the next generation of leaders.

Recommendations for organization development or organization learning practitioners are to deepen their understanding of diversity and inclusion and look for ways to integrate that knowledge into their organization development practice. One way to do that is by understanding one’s own cross-cultural competency. In Tapia’s book, *The Inclusion Paradox; The Obama Era and the Transformation of Global Diversity* (2009), he referenced the Development Model of Intercultural Sensitivity, which is a framework developed by Bennett to explain the way in which people commonly develop cross-cultural, or intercultural, competence. The stronger the organization development practitioners’ cross-cultural competency, the better they are able to help build that capability in the leaders and organizations they are working with. The strength of organizations comes from individual differences and how those differences are leveraged. Leaders can unleash that potential by allowing people to be different once they arrive in an organization (Young, 2007). A tool called the Intercultural Development Inventory, developed by Bennett and Hammer, is a way of measuring where individuals and groups are in their cultural competence as conceptualized by the Development Model of Intercultural Sensitivity (Tapia, 2009).

Another recommendation, specifically for organization development or organization learning practitioners working with Asian American leaders, would be to help build an executive network for these leaders. None of the leaders interviewed were members of an executive network. All were part of Asian networks or industry networks, but in their positions, they are often the ones providing mentoring and coaching for others
in these groups. Executive networks, especially for Asian Americans, can make a significant impact in breaking the cycle of these leaders starting from scratch. Each leader spoke of his or her passion for teaching and developing others; however, each also spoke about his or her instilled Asian value of hard work. What has resulted is often informal and ad hoc mentoring and coaching relationships. With regard to their own development, seven of the nine interviewees had only informal mentors. An Asian American executive network can provide a safe, supportive community for the leaders to focus on their own development and can be a place where their capabilities on how to effectively mentor and coach others are built.

A critical role in breaking the “bamboo ceiling” is in the hands of American corporations. Unless American corporations invest in understanding and developing this highly skilled and motivated pool of talent, they may lose out. With the Work-Life Study showing 63% of Asian American men and 44% of Asian American women feeling stalled in their jobs and 19% of Asian American men and 14% of Asian American women thinking about quitting their jobs in the next year, this population is a significant flight risk. While 41% of Asian American men and 31% of Asian American women have chosen to scale back or “brown out” with their career aspirations, that statistic may change as globalization increases. With Asians being 60% of the world’s population, global and multinational companies outside of the United States will be vying for Asian Americans who are familiar with both Eastern and Western cultures.

Adachi, the managing director of Deloitte Consulting LLP’s human capital practice, said,

The Asian community is a very large economic force both inside and outside of the U.S. The more you understand what’s going on globally, and the impact that China and India are having on the world, the more you will recognize the
importance of having Asians be part of your organization and leadership team. (Hewlett & Rashid, 2011, p. 7)

In a book called *Flight Capital: The Alarming Exodus of America’s Best and Brightest*, author Heenan (2005) discussed the exodus of America’s talented immigrants because of better opportunities in their birth countries or the slow pace of their advancement in corporate America. With only 3.5% of the world’s population of Asians living in the United States, Asian Americans will be a scarce commodity in a global talent war (UNFPA—United Nations Population Fund, 2011).
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Appendix A: Cover Letter and Modified Cover Letter
Cover Letter Inviting Participation in the Study

Dear [Name of Asian American Leader],

In July 2009, there were an estimated 16 million U.S. residents of Asian descent. Asians represent the second fastest-growing minority group in the U.S. with a population expected to grow 213 percent over the next 50 years. Additional facts on Asian Americans are that:

- 50 percent hold bachelor’s degrees (compared to 38 percent of the general population)
- 20 percent hold graduate or professional degrees (compared to 10 percent of the general population)
- 45 percent of the Asian population is employed in management, professional, and related occupations, compared to 34 percent of the total population

However, despite that rapid growth, high levels of education, and professional roles they occupy, according to a 2009 survey conducted by LEAP (Leadership Education for Asian Pacifics), only 1 percent of senior management and board members of Fortune 100 companies are Asian American.

Emerging Asian American leaders need role models and a clearer path to help them navigate their way up the corporate ladder. Corporations would also benefit from understanding the strengths Asian American leaders bring to the work environment and the choices they make in balancing both their Asian and American cultures.

As a student in Pepperdine University’s Master of Science in Organization Development, I am seeking your participation in an important research project. The purpose of the study is an exploration of the personal and professional journeys of successful Asian American leaders as they have grown their careers in a corporate environment. This study attempts to answer the question: **What attributes contribute to the success of Asian American leaders, who have been able to maintain their cultural identity, in corporate America?** Knowledge gained from this study will be useful to help other up and coming leaders with an awareness of success factors that are common across the journeys of several Asian American senior leaders. It can also help organizations further understand ways to create a supportive and inclusive environment that may help expand their pipeline of strong Asian American talent.

Participation requires that you respond to a confidential questionnaire and the Suinn-Lew Asian Self-Identity Acculturation Scale (SL-ASIA) instrument. The questionnaire takes approximately 15-20 minutes to complete. Any question may be left unanswered if you wish. Once that is completed, a subset of the participants that volunteer will be asked to participate in a telephone or face-to-face interview with me, not to exceed 45 minutes. Participation is voluntary, and you may withdraw from the study at any time without penalty. You may also leave any question blank.
All responses will be kept confidential. Only aggregate data will be reported in the thesis or in any subsequent analysis beyond the thesis and possible future publication of the results. Questionnaire and interview data will be stored securely in the researcher’s locked file cabinet or password protected computer file for five years, after which all of it will be destroyed.

If you would like to participate, kindly respond with permission in writing to:
Maria Odiamar Racho

Prior to conducting any research, this study will be reviewed by the Institutional Review Board (IRB) at Pepperdine University and will meet all requirements regarding the university’s procedures. If you have any questions regarding the study or questionnaire, please call Maria Odiamar Racho at xxx-xxx-xxxx, Professor Terri Egan at xxx-xxx-xxxx or the IRB Chairperson, Dr. Yuying Tsong, yuying.tsong@pepperdine.edu.

Thank you for your consideration. Upon completion of the research, an overview of the findings can be delivered to you and an abstract of the study results will be provided upon your request.

Appreciatively,

Maria Odiamar Racho
Candidate, Master of Science in Organization Development
Pepperdine University Graziadio School of Business and Management
24255 Pacific Coast Highway
Malibu, CA 90263
Modified Letter Seeking Participants

Dear [colleague],

Only 1.9 percent of Fortune 500 corporate officers are Asian American, so you can see that the population I am trying to reach is small in number. Also, based on a study by the Center of Work-Life Policy, 48 percent of Asian American men and women report that conformity to prevailing leadership models – having to act, look, and sound like the established leaders in the workplace – is a problem.

However, through action, this sparse, but influential group of Asian American leaders could provide insight and positively impact those statistics. One way is by giving 10 minutes of their time to this study. I’m asking your help to personally reach out to your networks over the next week and pass this opportunity on to people who meet the following criteria. For those who already have, THANK YOU so much for your help!

Requirements:

□ Asian American Leader (Senior Manager and above)

□ Currently or previously employed with a Fortune 600 company (had to be a senior manager or above while at the F600)

If you meet these criteria, please answer the attached online questionnaire and assessment. It only takes 10 minutes. If you know someone who qualifies, PLEASE PASS THIS MESSAGE AND LINK ON to them and encourage them to fill it out. The survey is anonymous.

[http://pepperdine.qualtrics.com/SE/?SID=SV_9HLKSZie8bugLOs](http://pepperdine.qualtrics.com/SE/?SID=SV_9HLKSZie8bugLOs)

This research can help emerging Asian American leaders along their journeys as well as corporations with understanding how to develop and engage diverse talent.

If you have any questions, please let me know. Thank you in advance for your support and time.

Sincerely,

Maria

Maria Odiamar Racho
XXX-XXX-XXXX
moracho@pepperdine.edu
Candidate, Master of Science in Organization Development
Pepperdine University Graziadio School of Business and Management
24255 Pacific Coast Highway
Malibu, CA 90263
Appendix B: Consent Form
Consent to Participate in a Research Study

Investigator: Maria Odiamar Racho, contact number: XXX-XXX-XXXX
Faculty Advisor: Terri Egan, Ph.D.: XXX-XXX-XXXX

You are being asked to take part in a research study. To join the study is voluntary. You may refuse to join, or you may withdraw your consent to be in the study, for any reason, without penalty. As a participant, you may also leave any question blank. Research studies are designed to obtain new knowledge. This new information may help people in the future.

Details about this study are discussed below. It is important that you understand this information so that you can make an informed choice about being in the research study. You will be given a copy of this consent form. You should ask the researcher Maria Odiamar Racho, any questions you have about this study at any time. Approximately 30 individuals will participate in this study, with at least 10 participating in the interviews.

Your active involvement will take approximately 15 minutes to complete the questionnaire and the Sun-Lew Asian Self Identity Acculturation instrument and if you wish to participate in the second portion of the study, no more than 45 minutes of your time to participate in the telephone or face-to-face interview.

The steps required by you to participate in this study are as follows:
1. Read and understand the cover letter to consent form.
2. Read, understand and sign the consent form.
3. Read and respond to the questionnaire and the Sun-Lew Asian Self Identity Acculturation instrument.
4. Indicate your desire to participate in the second portion of the study on the online survey. Maria will arrange a timeslot to participate in a telephone or face-to-face interview.
5. Participate in the interview.

All information collected will be kept confidential and stored in a locked, secured filing cabinet for five years. Only the researcher has access to this cabinet. Participants will not be identified in any report or publication about this study. Your participation is completely voluntary and appreciated. You may withdraw at any time without question or penalty.

You have the right to ask, and have answered, any questions you may have about this research. If you have questions, complaints, or concerns, you should contact the researcher, Maria at XXX-XXX-XXXX or her supervisor Terri Egan, Ph.D. at XXX-XXX-XXXX.

All research on human volunteers is reviewed by a committee that works to protect your rights and welfare. If you have questions or concerns about your rights as a research
subject, or if you would like to obtain information or offer input, you may contact the Institutional Review Board at Pepperdine University at XXX-XXX-XXXX.

Title of Study: What attributes contribute to the success of Asian American leaders, who have been able to maintain their cultural identity, in corporate America? Investigator: Maria Odiamar Racho

Participant’s Agreement: I have read the information provided above. I have asked all the questions I have at this time. I voluntarily agree to participate in this research study.

Signature of Research Participant: 

Printed Name of Research Participant: 

Printed Name of Investigator: 

Date:
Appendix C: Online Questionnaire and Suinn-Lew Asian Self-Identity

Acculturation Scale
Online Questionnaire:

Demographics:
Year born [Date field]
Country of birth [Single line – open text]
Primary ethnic heritage [Single line – open text]
Educational background [Multi-line – open text]
Current Position [Multiple choice – Senior Manager/Director, Vice President, Senior/Executive Vice President, President, C-Suite, Other with option to enter text]

Understanding the Impact of parents:
Father:
Education level [Multiple choice – Some Elementary, Some High School, Some College, Graduate Level and beyond]
Country of birth [Single line – open text]
Profession [Single line – open text]
Involvement in community [Multi-line – open text]

Mother:
Education level [Multiple choice – Some Elementary, Some High School, Some College, Graduate Level and beyond]
Country of birth [Single line – open text]
Profession [Single line – open text]
Involvement in community [Multi-line – open text]

Interview Participation (at end of questionnaire):

Would you be willing to participate in a follow-up 45 minute face-to-face or telephone interview? If yes, please indicate preferred contact information (assistant information, telephone number, e-mail, etc.) to make arrangements.

Thank you for your time and for your participation in this very important research.
SL-ASIA: Suinn-Lew Asian Self-Identity Acculturation Scale

INSTRUCTIONS: The questions that follow are for the purpose of collecting information about your historical background as well as more recent behaviors, which may be related to your cultural identity. Choose the one answer which best describes you.

1. What language can you speak?
   1. Asian only (for example, Chinese, Japanese, Korean, Vietnamese, etc.)
   2. Mostly Asian, some English
   3. Asian and English about equally well (bilingual)
   4. Mostly English, some Asian
   5. Only English

2. What language do you prefer?
   1. Asian only (for example, Chinese, Japanese, Korean, Vietnamese, etc.)
   2. Mostly Asian, some English
   3. Asian and English about equally well (bilingual)
   4. Mostly English, some Asian
   5. Only English

3. How do you identify yourself?
   1. Oriental
   2. Asian
   3. Asian-American
   5. American

4. Which identification does (did) your mother use?
   1. Oriental
   2. Asian
   3. Asian-American
   5. American

5. Which identification does (did) your father use?
   1. Oriental
   2. Asian
   3. Asian-American
   5. American

6. What was the ethnic origin of the friends and peers you had, as a child up to age 6?
   1. Almost exclusively Asians, Asian-Americans, Orientals
   2. Mostly Asians, Asian-Americans, Orientals
   3. About equally Asian groups and Anglo groups
   4. Mostly Anglos, Blacks, Hispanics, or other non-Asian ethnic groups
   5. Almost exclusively Anglos, Blacks, Hispanics, or other non-Asian ethnic groups
7. What was the ethnic origin of the friends and peers you had, as a child from 6 to 18?
   1. Almost exclusively Asians, Asian-Americans, Orientals
   2. Mostly Asians, Asian-Americans, Orientals
   3. About equally Asian groups and Anglo groups
   4. Mostly Anglos, Blacks, Hispanics, or other non-Asian ethnic groups
   5. Almost exclusively Anglos, Blacks, Hispanics, or other non-Asian ethnic groups

8. Whom do you now associate with in the community?
   1. Almost exclusively Asians, Asian-Americans, Orientals
   2. Mostly Asians, Asian-Americans, Orientals
   3. About equally Asian groups and Anglo groups
   4. Mostly Anglos, Blacks, Hispanics, or other non-Asian ethnic groups
   5. Almost exclusively Anglos, Blacks, Hispanics, or other non-Asian ethnic groups

9. If you could pick, whom would you prefer to associate with in the community?
   1. Almost exclusively Asians, Asian-Americans, Orientals
   2. Mostly Asians, Asian-Americans, Orientals
   3. About equally Asian groups and Anglo groups
   4. Mostly Anglos, Blacks, Hispanics, or other non-Asian ethnic groups
   5. Almost exclusively Anglos, Blacks, Hispanics, or other non-Asian ethnic groups

10. What is your music preference?
    1. Only Asian music (for example, Chinese, Japanese, Korean, Vietnamese, etc.)
    2. Mostly Asian
    3. Equally Asian and English
    4. Mostly English
    5. English only

11. What is your movie preference?
    1. Asian-language movies only
    2. Asian-language movies mostly
    3. Equally Asian/English English-language movies
    4. Mostly English-language movies only
    5. English-language movies only

12. What generation are you? (circle the generation that best applies to you:)
    1. 1st Generation = I was born in Asia or country other than U.S.
    2. 2nd Generation = I was born in U.S., either parent was born in Asia or country other than U.S.
    3. 3rd Generation = I was born in U.S., both parents were born in U.S., and all grandparents born in Asia or country other than U.S.
    4. 4th Generation = I was born in U.S., both parents were born in U.S., and at least one grandparent born in Asia or country other than U.S. and one grandparent born in U.S.
    5. 5th Generation = I was born in U.S., both parents were born in U.S., and all grandparents also born in U.S.
    6. Don’t know what generation best fits since I lack some information.

13. Where were you raised?
    1. In Asia only
    2. Mostly in Asia, some in U.S.
    3. Equally in Asia and U.S.
    4. Mostly in U.S., some in Asia
    5. In U.S. only
14. What contact have you had with Asia?
   1. Raised one year or more in Asia
   2. Lived for less than one year in Asia
   3. Occasional visits to Asia
   4. Occasional communications (letters, phone calls, etc.) with people in Asia
   5. No exposure or communications with people in Asia
15. What is your food preference at home?
   1. Exclusively Asian food
   2. Mostly Asian food, some American
   3. About equally Asian and American
   4. Mostly American food
   5. Exclusively American food
16. What is your food preference in restaurants?
   1. Exclusively Asian food
   2. Mostly Asian food, some American
   3. About equally Asian and American
   4. Mostly American food
   5. Exclusively American food
17. Do you
   1. read only an Asian language
   2. read an Asian language better than English
   3. read both Asian and English equally well
   4. read English better than an Asian language
   5. read only English
18. Do you
   1. write only an Asian language
   2. write an Asian language better than English
   3. write both Asian and English equally well
   4. write English better than an Asian language
   5. write only English
19. If you consider yourself a member of the Asian group (Oriental, Asian, Asian-American, Chinese-American, etc., whatever term you prefer), how much pride do you have in this group?
   1. Extremely proud
   2. Moderately proud
   3. Little pride
   4. No pride but do not feel negative toward group
   5. No pride but do feel negative toward group
20. How would you rate yourself?
   1. Very Asian
   2. Mostly Asian
   3. Bicultural
   4. Mostly Westernized
   5. Very Westernized
21. Do you participate in Asian occasions, holidays, traditions, etc.?
   1. Nearly all
   2. Most of them
   3. Some of them
   4. A few of them
   5. None at all
22. Rate yourself on how much you believe in Asian values (e.g., about marriage, families, education, work):
   1 2 3 4 5
   (do not believe) (strongly believe in Asian values)
23. Rate yourself on how much you believe in American (Western) values:
   1 2 3 4 5
   (do not believe) (strongly believe in American values)
24. Rate yourself on how well you fit when with other Asians of the same ethnicity:
   1 2 3 4 5
   (do not fit) (fit very well)
25. Rate yourself on how well you fit when with other Americans who are non-Asian (Westerners):
   1 2 3 4 5
   (do not fit) (fit very well)
26. There are many different ways in which people think of themselves. Which ONE of the following most closely describes how you view yourself?
   1. I consider myself basically an Asian person (e.g., Chinese, Japanese, Korean, Vietnamese, etc.). Even though I live and work in America, I still view myself basically as an Asian person.
   2. I consider myself basically as an American. Even though I have an Asian background and characteristics, I still view myself basically as an American.
   3. I consider myself as an Asian-American, although deep down I always know I am an Asian.
   4. I consider myself as an Asian-American, although deep down, I view myself as an American first.
   5. I consider myself as an Asian-American. I have both Asian and American characteristics, and I view myself as a blend of both.

SUINN-LEW ASIAN SELF-IDENTITY ACCULTURATION SCALE

(SL-ASIA)

This document provides formal permission to anyone wishing to use the SL-ASIA scale. The scale is duplicated in the last section. Also discussed are some practical research design suggestions as well as some theoretical issues. Finally some potential new items are described for those researchers who may wish to extend the scale. (The same information is duplicated in a more convenient format under separate links in the web site: http://www.awong.com/~randy/dad/index.html )

RESEARCH DESIGN:

Please note that if you feel your sample is one that requires reading a translated version, this could mean that your sample is very restricted to a first generation. If so, then by definition you would not have enough subjects who represent the various levels of acculturation (low to middle to high). If this is the case, then this restricted range will prevent you from testing any hypothesis regarding how “level of acculturation” or acculturation differences has effects.

Also note the usual principles regarding use of standardized tests: if you revise any part of the test - order of questions, wording of answers, etc. - then it may be questionable whether the test still is valid. Certainly, the question can be raised about whether the same norms can be used to interpret the results. If you choose to do such a revision, you should discuss the matter with a colleague who is a methodologist, or your advisor if you are a student.

After some thoughts about acculturation and its measurement, I have added questions 22-26 to the original 21 item scale. These questions can serve to further classify your research participants in ways that use current theorizing that acculturation is not linear, unidimensional but multi-dimensional and orthogonal. These new items were developed based on writings of those who felt that a linear, unidimensional scale was insufficient. Hence, some added items have been written as a potential separate way of classifying the subjects...if the original scale did not turn out predictive. I have not obtained any validity/reliability info on these added items, but hope that users of the added items will share their results with me.

USING THE ORIGINAL 21 ITEMS:

In scoring these 21 items, add up each answer for each question on the scale, then obtain a total value by summing across the answers for all 21 items. A final acculturation scores is calculated by then dividing the total value by 21; hence a score can range from 1.00 (low acculturation) to 5.00 (high acculturation). Because of the nature of the multiple choice content, it is possible to view low scores as reflective of high Asian identification, with high scores reflecting high Western identification. In other words, a low score reflects low acculturation, while a high score reflects high acculturation.
Appendix D: Qualitative Interview Protocol
Interview Protocol

Preparation:
- Research each candidate prior to interview
- Schedule meeting for 45 minutes in a location that will be quiet and private
- Prepare recording equipment

Introduction: My name is Maria Racho. I’m a graduate student at Pepperdine University completing my Master of Science in Organization Development. I’m conducting research on Asian American leaders in Fortune 500 companies, that have been able to maintain their Asian cultural identity and successfully grow their careers in corporate America. My hope is to gather themes and common attributes that will help emerging leaders on their own journeys and will help American companies gain better insights into the choices and balance Asian American leaders make to adapt while still bringing all of who they are to work.

The questionnaire and survey gathered some demographic data and walked you through a self assessment on your individual acculturation. That data, as well as this interview data will be kept completely confidential and only aggregate information will be used in the thesis findings and analysis.

This portion of the research will focus on your personal and professional journey, particularly choice points in your life that stand out and that you feel led you to where you are today in your career.

Interview Questions:

Your work -
- Describe the role you have today. What do you enjoy most about your work?
- Can you walk me through your career journey? What were major milestones that led you to where you are today?

Your Asian culture -
- Can you tell me about your childhood? What was it like growing up in [country]? How was your environment at home, at school, in your neighborhood?
- Were there triggers in your life that heightened your self-awareness of your Asian culture? If so, what were they?
- Growing up, were you aware of or did you participate in traditional Asian practices?
- What impact did your parents have on you and your connection to your Asian culture?
  - How was it similar or different than your friends’ Asian parents? Non-Asian parents?
- Were you treated the same as other races in the work environment? If no, what was different? Did you make changes or adapt to those differences and if so, how?
Leadership –

- What were key choice points that helped shape who you are today as a leader?
- Did you have a mentor and/or a sponsor in your career? If so, how did that influence your career growth? Was your mentor Asian American? If no, what race was he/she?
- What impact did your parents have on your leadership development growing up?
  - How was it similar or different than your Asian friends’ parents? Non-Asian friends’ parents?
- What are experiences that helped shape your career?
  What are pieces of advice that influenced your career?
Leadership for Lawyers

Perspectives on Leadership Composed by Members of the FDCC

Foreword by, J. Scott Kreamer, President
Edited by, Francisco Ramos, Jr.
PRESIDENT’S MESSAGE

Defense Lawyers. Defense Leaders. The FDCC adopted this brand because it captures who we are. Most Federation members are lawyers, but we are all leaders. We lead our firms, companies and our communities. Leadership is in the DNA of the organization. Also part of the Federation’s genetic makeup is our continual pursuit of excellence – to become more effective leaders tomorrow than we are today.

The diversity of leadership styles amongst our members is equal parts extensive and impressive. We each have forged our own paths to leadership. Along the way, we have accumulated a treasure trove of experiences and wisdom.

Gathering together in one source the broad cross-section of lessons and experiences so that we can learn from each other is invaluable. All this is precisely why this book was written. We hope that reading this will inspire you to become even better leaders.

-J. Scott Kreamer
EDITOR'S MESSAGE

FDCC wrote this book because it recognizes that in these times of change – change to our profession, to how our clients do business, to how we communicate, to the fabric of our social construct and to the very viability of our principles and values and our firms and our organizations - now, more than ever, leadership is craved to provide a rudder to the ship and a map to the voyage. Great organizations have an inspired vision and a strategy to bring it to fruition. They have leaders who see the big picture and the skills to implement it. If we want our firms, organizations and clients to grow and overcome obstacles and challenges they face, we need to develop our partners and associates into today’s and tomorrow’s leaders.

I’ve been blessed with two strong leaders at our law firm, Bud Clarke, and Spencer Silverglate, who have led our firm through the good and bad times, and have never lost sight of our goals and how to achieve them. They are leaders in their families, houses of worship, their voluntary bar associations and in their neighborhoods and communities. They understood that everything starts and ends with quality leadership. In fact our firm’s tagline is a Firm of Leaders. They taught us not only how to be leaders but lived as exemplars of how it was done. We authors of this book, all FDCC members, share with you our experiences, our values, our upbringings and what we have learned that works and what does not to lead your law firms, clients and organizations. Whether it is taking the lead in a bet-the-company lawsuit, a downturn in your law firm, changes in legal trends or growing your book of business, we share our insights on improving your leadership skills and tackling and overcoming all the disruptors our firms and clients face in these tumultuous times.

We hope you enjoy this book as much as we enjoyed writing it. It reflects our collective experience and wisdom on leadership for lawyers. If you want to learn more about our organization, please visit our website at www.thefederation.org.

-Francisco Ramos, Jr.
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Leadership For Lawyers
Perspectives on Leadership Composed by Members of the FDCC
5 Traits of Great Leaders

Henry Mills Gallivan

There are literally thousands of books, tapes and programs on leadership development, each with its own recipe for great leadership. As defined by Merriam-Webster, leadership is “power or ability to lead other people”. This is a simple and clinical explanation of the word. It tells us what leadership is, but it gives no direction on how to do it, much less how to do it well, or with greatness. In today’s world, executing the “action of leading” with greatness is that with which so many of us struggle the most.

Many of us judge the greatness of leaders in the context of our own moral, social and/or personal compass. For example, let’s compare the characteristics of two global leaders. Both were engaging, courageous, strong, decisive, made public mistakes, etc. So who was the greater leader, Fidel Castro or John F. Kennedy? Your assessment of who was greater is likely not based on their shared, or differing, characteristics, so much as it is on how they leveraged those characteristics and put them into action.

In March of 2017, Fortune magazine released its list and ranking of the top 50 “World's Greatest Leaders”. It’s a diverse group of successful, popular, and beloved leaders. I encourage you to look at it, consider the traits they (and other great leaders) share, as well as the ways they leverage them in the “action of leading”. In my opinion, there are five fundamental traits that great leaders possess. These are not intended to be exclusive; rather they are observed behaviors, that in my opinion, every great leader exhibits. It’s my hope that illustrating how others have brought the “action of leading” to life will help make your leadership journey easier.

1. LEAD WITH PASSION

Inspired leaders understand and believe passionately in their purpose. They know why they exist, why they are where they are and why their leadership is needed to accomplish a specific goal. More importantly they are “all in” when it comes to leading because they are personally committed; they have skin in the game. We have all heard the one liner, “Is the Pope Catholic?” However, this is more than a rhetorical question; it is the essence for great leadership by Pope John Paul II and Pope Francis. They are Catholic in every sense of the word and their passion for the Catholic Church and its teachings governs all of their leadership decisions. This question works when looking at all great leaders, “Was George Patton a warrior?” “Was Mahatma Ghandi a man of peace?” If you are in a leadership position or considering taking on a leadership role, ask yourself, “Am I ______?” and completely comfortable with being totally identified with this group or organization. If your answer isn’t an unqualified “yes”, you may lead, but achieving greatness will be a struggle.

2. LEAD WITH GRIT

Think of John Wayne as Marshal Rooster Cogburn in the movie True Grit, not Joe Pesci in My Cousin Vinny asking, “What is a grit anyways?”

Merriam-Webster defines grit is defined as “firmness of mind or spirit: unyielding courage in the face of hardship or danger”. For me the GRIT exhibited by successful leaders is an acronym for, Great Resolve and Inner Toughness. A leader must be self-disciplined before he or she can create or motivate others to accept the discipline needed to achieve the leader’s goals. Every leader will face challenges, setbacks, and in some cases strong opposition. When the challenges come, success or failure may turn on many external factors, however, success is DOA unless the leader has the resolve and the inner toughness to see the job through.

In October of 1941 and in the face of England’s near certain defeat by Germany, Winston Churchill said, “…never give in, never, never, never – in nothing, great or small, large or petty – never give in except to convictions of honour and good sense.” Great leaders exhibit this kind of resolve and inner toughness and it is their
GRIT that drives flawless execution and finishing strong. Leaders who have GRIT can more easily inspire others to follow them and to totally commit to achieving the goals which define success.

3. **LEAD WITH ATTITUDE**

We have all seen or heard the platitude “Attitude Determines Altitude”. Great leaders fully understand that their attitude is the conduit for transferring their GRIT to their followers. The leader must have a “Can Do” attitude and the self-awareness, insight, EQ or instinct to understand the impact their attitude has on their followers. Also, leaders who love their followers have an immediate advantage. A “Can Do” or positive attitude is more than leadership style although it is inherent in the exhibited yet distinctive style of each leader. Alabama Head Coach, Nick Saban's attitude is simple, “Every man follows the process and we win”; versus Clemson Head Coach, Dabo Sweeney’s attitude, “Have fun, finish the closer, and we win”. Both work because their followers have fully bought into their leader’s attitude.

As a boy, I had a poster in my room that depicted a scene from the Boxer Rebellion in 1900. The U.S. Army’s 14th Regiment was pinned down at the base of the Great Wall of China. There was a call for volunteers to scale the Great Wall; E Company Trumpeter Calvin P. Titus stepped forward and said; “I’ll try, sir!” In a daring solo ascent, he scaled the wall and was quickly followed by the rest of his company. The U.S. Army then went on to relieve the besieged legations in Peking. Calvin P. Titus was awarded the Congressional Medal of Honor for his courageous and daring deed. His attitude of “I’ll try, Sir!” inspired others to follow and the transfer of attitude into execution resulted in a significant victory for his Regiment.

When I ask my 3-year-old grandson Benjamin if he can do something he always responds, “Sure, sure I can!” It is this type of positivity that inspires others and helps them believe in themselves as well. Great leaders inspire their followers to adopt their “Can Do” attitude.

4. **LEAD WITH SELFLESSNESS**

I know many very smart, commanding and highly successful lawyers who, for a myriad of reasons, function as a “quintessential lone wolf”. To succeed as a sole operator, one must exhibit great self-awareness. To lead with greatness, one must exhibit great selflessness in addition to great self-awareness. The greatest leaders are those who know themselves well. They recognize their own weaknesses and potential blind spots. The role of leading others demands the sacrifice of independence in favor of interdependence. This sacrifice of self, from a self-aware leader, especially when executed with excellence, results in trust, respect, commitment and loyalty. It transforms the dynamic of the team and usually, it yields success. More times than not, the reward is achieving a goal that is not possible with individual effort, no matter how great the effort. In theory, this seems like a simple aspect of leadership. We all know that together, we can accomplish far more than we can on our own. However, the ability to lead with selflessness and self-awareness is where the rubber meets the road. Great leaders know how to lead great teams to incredible success and accomplishments that dazzle ordinary teams with ordinary leaders. Ordinary leaders may have the skill set to lead teams to success, but who wants mere success? Great leaders want dominating successes. They seek the hallowed ground of the teamwork exhibited by groups like Seal Team Six, the USAF Thunderbirds, the Vince Lombardi Green Bay Packers and Jeff Bezos/Amazon. Countless hours have been spent analyzing the leadership and teamwork of super performing teams. A leader’s greatness is dependent upon his or her willingness to delegate and to rise or fall with the team's performance.

My dear friend, the late Commander Sandy McMillan of SEAL Team Two, explained that for SEALs, leadership decisions are delegated to the expert in the field. The best skydiver leads the HALO jumps, the best SCUBA diver leads the underwater missions, the best shot leads the sniper missions, and so on. Very simply, leadership and success are dependent upon defining responsibility, delegating authority and strict accountability within the team. The team commander subjugates himself to the person best qualified to lead the team successfully at a given point in time.
Great leaders know how to get the most from a team to achieve 10x performance or more. This level of leadership and success is highly dependent on a mutual trust which develops as the team realizes the leader has their backs and is willing to also roll up his or her sleeves and do the dirty work. Ultimately the team understands that accountability applies to the leader as well as the team and that all rise or fall together.

5. LEAD WITH FOCUS

Great leaders have an ability to maintain an unwavering focus on their goals and to keep the attention of their team (or followers) focused on their shared goals and desired end-result. It requires a truly extraordinary team to be able to pick up the slack and deliver success when their leader loses focus. Such teams do exist, but building and leading one is a topic for another day.

For purposes of this discussion FOCUS is an acronym for Frame, Observe, Communicate, Understand and Stay the course.

The leader must:

- Frame the mission by clearly defining the goals, the strategy and the tactics.
- Observe the environment of the mission and be constantly vigilant for obstacles.
- Communicate the mission to the team and do so in a manner that gains the complete buy-in of the team.
- Understand, fully, the team, including individual capabilities and weaknesses.
- Stay the course through the good times and the bad.

A leader cannot underestimate the value of communication. He or she must be able to effectively translate and transfer their inner positivity and “Can Do” attitude. A great leader’s inner “I got this!” will quickly become the team’s “We got this!”

Credible leaders must consistently and realistically communicate both good news and bad news. Their honesty builds trust, the kind of trust that a team needs to go “all in” and follow their leader’s vision to accomplish the team goals. A well led team knows that their leader has their backs. They know that their leader always does what is in the best interest of the team in accomplishing their mission/goal. As situations evolve and adjustments are needed, a trusted leader can more easily change tactics or strategies to keep the team on course, even in the most difficult times.

In many respects, FOCUS is the sum of the previous four traits of leadership. A leader must have the PASSION to exclude distractions from the true mission of the team; he or she must have the GRIT, the pure raw determination to stay on track notwithstanding setbacks; the leader must have that inner “Can Do” ATTITUDE to defeat the voices of negativity; and, the SELFLESSNESS to put the needs of the team above his or her individual needs and/or goals. When a leader possesses these skills and is able to communicate the right messages, it’s not a question of “if” success will happen; it’s a matter of “when” it will happen.

In the end leaders must want to lead. You can call it passion, drive, determination or any number of things. It is that burning desire to accomplish something and the will to make it happen. There are many ways to do this and everyone will lead differently. Great leaders are bold and have the self-confidence to accept both failure and success as simply road markers on a much greater and longer journey.
General George S. Patton said; “If everyone is thinking alike then somebody isn’t thinking!” and to paraphrase one of America’s greatest battlefield leaders, “If everyone is leading the same way, then somebody isn’t leading!” Like General Patton, we should all lead boldly and authentically.
Leadership Starts With Thinking Like A Leader

J. Scott Kreamer

Some men see things as they are and say why. I dream things that never were and say why not?
-Robert Francis Kennedy

Great leadership changes the world. Without it and the visions of the leaders, our society, organizations and companies would not evolve. What distinguishes a follower from a leader who dreams of things that never were?

Leaders clearly possess an array of attributes that set them apart and define them as leaders. This book captures a multitude of these attributes including ethics, courage and conviction. While these are important, I would suggest that truly remarkable leaders distinguish themselves because they think about things not just as they are, but how they can be.

I challenge you to name a great American leader from George Washington to Eleanor Roosevelt to Bill Gates and everyone in between who was not a great thinker. You will not be able to do so because there are none. Leaders distinguish themselves as leaders because they take time to think about where they are heading.

Any great vision begins with a thought. Leaders focus their thoughts and energy on the opportunities that lie ahead rather than the problems of the past. The institutions and advances we enjoy today were the result of leaders who dared to think beyond the standard conventions of the day to what could be possible tomorrow.

Bobby Kennedy’s brother, John F. Kennedy, was not constrained by conventional wisdom when he challenged the nation to send a man to the moon by the end of the decade. He thought big, convinced a nation his idea was possible and we followed. Leaders know how to solve problems, they know how to unleash possibilities and they know how to achieve the impossible.

Apple CEO, Steven Jobs, had a vision of how computers and phones could be used that was revolutionary and changed the way we do things. A little closer to home is John Appleman, who had a vision to develop the preeminent defense organization – the FDCC.

Some may be thinking that this is all fine and good for the few who happen to win the gene pool lottery that allows them to think on a different level than the rest of us and in turn be genetically predisposed to being a great leader. Science shows us, however, through brain scans that there is no significant difference in the way leaders’ brains work. Researchers have found that rather than genetics, leaders come by their talents mostly through hard work and persistence. In fact, one study from The Leadership Quarterly on heritability (that is, the innate skills you bring to the table) and human development (what you learn along the way) estimated that leadership is 24 percent genetic and 76 percent learned. See The Leadership Quarterly, Volume 24, Issue 1, February 2013, pp. 45-60. Another study confirms existing research that leaders are made, not born finding that leadership ability is roughly 30% genetic and 70% learned.

The good news is that we all have the ability to learn to become effective leaders. This does not simply happen, however. Just as we have to work at becoming great attorneys, leadership requires a focused and concerted effort.

So how do we do this? I want to share some specific ideas and steps you can take that will enable you to be a more effective leader.
1. **Take Time to Think Like a Leader**

Leadership is a mindset. It is a way of thinking and an approach to life. No matter what your occupation or your station in life is, start thinking like a leader because you really have a choice when you go out in the world every day. You can be a follower or you can be a leader. The more you practice showing leadership in your work, showing leadership with your family, showing leadership in your community, showing leadership in your private self, the more you start to step into the mindset of a leader. Practice drives performance.

Leadership performance starts with thinking and thinking requires time and dedication. Where do you spend most of your time? Do you take the time to step back and think about the big picture or are you focused on the issues of today? It is hard to see the forest when you are focused on the tree standing in front of you. Leaders recognize that they need to step away from the trappings of normal daily activity and elevate their vision to see the entire forest.

You may say that this is easier said than done as the demands on our time in today’s society have never been greater. There is no doubt we are all being asked to achieve more in less amount of time. The result is most people operate out of necessity like a firefighter – going from one fire to the next only to do the same thing tomorrow.

The daily grind becomes draining and most people become too tired to want to think about the future. One suggestion to avoid this cycle is to take breaks and recharge the batteries. But take a real break – not watching T.V., skimming Facebook or other social media. Let your mind clear with exercise, meditation, yoga or creative activities, which actually boost brain activity. Then get back to connecting the dots on your ideas and you will be prepared to seize an opportunity when the time is right.

Taking the time to focus on the strategic vision of the organization is necessary because without it ensures only the status quo or something worse. Today, leaders must purposefully focus on taking the time to engage in big-picture thinking. Stepping back periodically from daily activities allows you to gain perspective and see things that you would not have otherwise seen, size up a situation and take all the variables into account.

Freeing yourself from the demands of the day to focus on the vision of tomorrow needs to be intentional. To ensure you are thinking about the big picture items, you need to schedule time for strategic thinking. Some would say you should devote as much as an hour a day focusing on the 10,000 foot level issues. Literally set time aside on your calendar where you can think about things that matter in your company, your firm and your life.

2. **Develop a Vision – Go Big!**

Bobby Kennedy put his finger on what I believe separates leaders from others. Leaders do not simply accept things as they are in their life, their firm or the world, but rather imagine what could be. Challenging people’s ideas of the possible falls right in line with Apple’s slogan back in the 1990’s - “The people who are crazy enough to think they can change the world are the ones who do.”

As you consider your goals, set them so high that you even question whether they can be attained. Your goals should make you sweat a little when you think about it. Doing so has its benefits as seen in a study published online in the Journal of Consumer Research, which concluded that being more ambitious actually makes you happier. Those who set high goals are more satisfied than their counterparts with lower expectations.

University of California-Riverside professor Cecile K. Cho had one group of research participants pick stocks and set a high target rate of return. They were told they could set a rate of return between 6% and 20%. The results of the study were interesting as the low goal setters were not nearly as happy with their winnings and were more disappointed by their losses. Alternatively, higher goal setters happier with their winnings and less disap-
pointed by their losses.

If development of ideas is what sets leaders apart from followers, the magnitude of the idea or goal is what defines leaders. In sports, Michael Jordan did not set a goal of simply winning his division or even making the Championship Series. He wanted to win the Championship and he wanted to be the greatest of all time. When we set big goals, we get big rewards. Even if we lose, we feel like we gave it our best try, which is fulfilling in its own way. Leaders never set a goal they know they can achieve. Their fear of failure sparks their fire.

As attorneys the odds are that our creative juices are not going to be focused on developing the first manned mission to Mars or curing cancer, but as leaders in our firms and organizations, we can nevertheless set challenging goals. Maybe it is overhauling your firm’s business, expanding into new markets or merging. Your goals as a leader need to have some oomph. Shoot for the stars. Go big or go home! So, push yourself, set big goals and get big rewards.

3. **Harness Focused Thinking**

Focused thinking shuts out interruptions and interference, allowing you to concentrate on the task at hand. When you can focus your thinking on issues at the 10,000 foot mark, you are able to bring clarity to the challenges, targets and results. Schedule time outside the office to think. You need to avoid distractions and focus on big goals and other meaningful steps you can take to move forward.

Engage in inquisitive thinking. Successful leaders spend their time questioning everything they know and everything they do not know. When you question, you gain knowledge, and when you gain knowledge, you have impact. To be impactful, you to have to question what everyone else is taking for granted. That alone can give you a leg up on innovation and creativity. In fact, Steve Jobs believed that intuition based on accumulated experiential wisdom is very powerful and more important than intellect.

Leaders may or may not achieve all their goals, but need to have unwavering conviction of what they want to do. In his book, Good to Great, author Jim Collins talks about effective leaders and concludes that the best ones will do whatever it takes to make the company great. They also maintain an unwavering resolve in the face of detractors and naysayers to do whatever must be done to produce the best results, no matter how difficult the task is.

What does this type of thinking look like? First, leaders think about ways to improve the organization. Leaders aren't content to find problems and complain about them – they think in terms of solutions, says J. Randolph New, management systems professor at Virginia’s University of Richmond, where he teaches leadership courses. At the most basic level, leaders identify things that should be different and work toward making them better.

Next, leaders think about the greater good of the organization rather than themselves. They will step into the leadership role, even if no one else is willing to do so. Leadership thinking does not consider the personal benefit of doing so. The leader does not expect a reward – he or she just leads because it is necessary.

Finally, take time to reflect on your ideas before you act. When you take the time to reflect, it gives perspective. It allows you the bandwidth to see what is truly going on without being emotionally charged. Reflective thinking enables you to distance yourself, so you can see things with a new pair of eyes.
4. **Think Collaboratively with Others**

Do not be a lone wolf. Collaborative thinkers like to hear what other people are thinking so they can expand their own ideas. As much as we like to think we know it all, the best kind of thinking—the kind that brings the greatest return—is not done solo but is shared. Make sure that the others you collaborate with are also strategic thinkers who can help you move easily from where you are today to where you want to be tomorrow.

Bringing in others can simplify the difficult, prepare for uncertainties and help you to reduce the margin of errors. Thinking big involves risk and if the rest of your team is not on board with what you want to do, you are doomed to fail. You need to bring in others who will help you to achieve the goals you set.

Leaders learn from each other and as they do, their opinions are likely to change because they are more concerned with looking for the best action rather than looking like the smartest person in the room, says leadership expert G. Shawn Hunter, author of Out Think: How Innovative Leaders Drive Exceptional Outcomes. In fact, even their quest for information may make them appear like better leaders to those around them.

This does not mean that leaders are easily swayed by opinions of others. Leaders have critical thinking ability which allows them to objectively look at situations and determine the reality from wishful thinking. Given that the future is uncertain, opinions about how to proceed are necessarily required to be relied upon. Leaders analyze the opinions and determine moving forward what will work and what will not work.

**Conclusion:**

As a Federation member you have already been identified as a leader. In other words, you have the 30% genetic makeup to be a great leader. To maximize the other 70% of your leadership ability, intentionally take the time necessary to think like a leader. Start today to develop new dreams that will lead to profound and lasting change. Life is short, live it to the fullest and leave your fingerprint on what you do!
Jesus called them together and said, “You know that those who are regarded as rulers of the Gentiles lord it over them, and their high officials exercise authority over them. Not so with you. Instead, whoever wants to become great among you must be your servant, and whoever wants to be first must be servant of all. For even the Son of Man did not come to be served, but to serve, and to give his life as a ransom for many.”
-Mark 10:42-45

Everybody can be great, because everybody can serve. You don't have to have a college degree to serve. You don't have to make your subject and verb agree to serve...You only need a heart full of grace, a soul generated by love.
-Martin Luther King, Jr.

Servant Leadership sounds like a paradox. How can you lead if you are a servant? How can you head an organization if you're subservient to everyone in it? The key, of course, is that to lead, you are assuming responsibility for others. You are putting their interests before yours. You're not leading because you want a title, a position, power or publicity. You're leading because you want to serve. You're not out for yourself. You're here to help. Wanting to serve comes first. That desire to serve compels you to lead, to make things better for those in the organization and for those served by it. Having a servant's heart comes first. Leadership naturally follows.

Some attribute the term Servant Leader to Robert Greenleaf. In his 1976 book titled Servant Leadership, he states that the true servant leader must first be a servant:

“It begins with the natural feeling that one wants to serve, to serve first. Then conscious choice brings one to aspire to lead. That person is sharply different from one who is leader first, perhaps because of the need to assuage an unusual power or to acquire material possessions.”

Though the term “servant leader” has been attributed to Greenleaf, examples of servant leaders go back much further. In fact its roots may be found in Judeo-Christian teachings. From the Old Testament, where the Kings of Israel who served God and the Israelites were exalted and those who served themselves and their own interests were brought down, and from the New Testament, where Christ taught his apostles that to be first they had to be last, to lead they had to serve (which he demonstrated by washing their feet), and to save others they would have to lay down their own lives (all of them, except John, were martyred). There are modern examples of servant leaders, including Martin Luther King Jr., Nelson Mandela and Mother Theresa.

Today, leading companies espouse this approach, including Southwest Airlines, Starbucks and Chick-fil-A. Companies with a servant leadership approach often make the Best Companies to Work For list, which attracts the best people, which in turn makes them better. Servant leadership works.

There is also a moral aspect of servant leadership. It focuses on those being led, not those doing the leading. It focuses on their needs, not yours. Servant leaders do, they don't simply speak. Platiitudes are not enough. Action is required. Treating others the way you want to be treated, putting others before your own wants and needs, the self sacrifice of it all – suggests a moral code of leadership. Servant leaders go beyond results to doing what’s right. They exemplify self sacrifice, humility, empathy – qualities found in most, if not all, moral codes. Servant leadership requires, no, it demands, dedicating yourself to a higher purpose beyond your own self interests.

A servant leader is not egocentric. You don't ask, “What can I get out of this organization?” Instead, you
ask, “What can I give?” It’s not about what a title will mean for you, but rather how the opportunity will help others. You take yourself out of the equation. “Can I contribute?” “Do I add value?” “Can I help lift others up?” “Can I help advance the organization’s mission?” You’re not the center around which the organization revolves. You revolve around it. Never make it about you. It’s not about you. You let your ego get in the way, and make it about you, and the organization suffers. Pride comes before the fall. Nebuchadnezzar. Xerxes. Ramses. Nero. Napoleon. Mussolini. Everyone assumes all civilizations, sooner or later, come to an end, but the seeds of their destruction are planted by those who assume their reigns and direct the chariots on the path to their own glory. The pyramids were built on the back of slaves to honor a handful of men as gods. The pyramids remain as a reminder that they were not the King of Kings.

Leadership titles can be lost. But no one can take from you your desire to serve. You may not secure a position on an organization’s board or become one of its officers, but you don’t need a title to exert positive influence on and in the organization. If you start with the intent to serve, you will influence others to follow you, and by definition, you’ll be leading. Influence the organization for the better, and whether you have a title or not, you’ll be considered a leader. Just as leading through serving sounds counter intuitive, pursuing the organization’s best interests above your own, not focusing on securing the title will often lead to having a title too. Serve the organization and with time, others will come to recognize you as a leader, and the title will follow. Serve and the titles will take care of themselves.

In becoming a servant leader, consider the following traits and practices:

**Servant leaders take time to get to know those in their organization.** Since servant leadership is about others, you need to listen to others in the organization, take the time to understand their needs and wants, not just the organization’s needs, empathize with them and get to know them. You will be working with them, alongside them, defining the organization’s goals and developing plans to fulfill those goals. They need to know you care about them individually just as you care about the organization collectively, and that you consider their needs as well as those of the organization.

**Servant leaders listen.** You’re not imposing your will on the organization. You’re listening to hear what others have to say about the organization, its missions, its goals, its history, its successes and its failures. You listen to what others have to say, both by their words and by their silence.

**Servant leaders seek to understand.** As Stephen Covey says in his book the *Seven Habits of Highly Effective People*, “seek first to understand, and then to be understood.” You want to seek to understand what the organization needs, what its goals are, its mission and its history. Once you know where it wants to go, you can help get it there.

**Servant leaders care.** Those who serve do so because they care about those they’re serving. You give because you want to improve others’ lives. You care about the organization and those in it and those it serves. You care for those in the organization beyond what they can do for the organization. You care for them as individuals. You want them to prosper in the organization and beyond it.

**Servant leaders have a vision.** You have a vision that brings everyone along, that has an important role for everyone to play, and benefits the collective, not you.

**Servant leaders build consensus.** Because your focus is on others and not on yourself, on how to serve them rather than how others can serve you, you’re interested in creating an environment where everyone in the organization serves each other, and in so doing, you’re creating an environment where you create consensus around what best serves the organization and those in it.
Servant leaders serve the organization’s mission. Most organizations have mission statements. They take them to heart, and their focus is directing their energies and time to fulfilling the mission. They empower others in the organization to do the same and they’re always thinking of new and better ways of doing so.

Servant leaders lead by example. By serving others, you set an example for others on how to treat their peers in the organization. You do onto others as you want them to do onto others. You roll up your sleeves, to encourage others to do the same.

Servant leaders are humble. Serving others brings out your humility. When offered the credit, you freely share it with others.

Servant leaders invest in their people. You understand that what makes your organization great is the people, and you invest in them and their development, both for their good and the good of the organization.

Servant leaders mentor others. You take the time to bring others up with you, so when you move on from a leadership position you have prepared those who will come after you.

Servant leaders empower others. You give others the tools to assume their own leadership positions and help them use those tools to advance the organization’s mission.

Servant leaders encourage others. Because your focus is on others, not on yourself, you focus on the person – their needs and wants – and build them up to help advance the organization.

Servant leaders develop other servant leaders. You develop others who share your view of leadership. For servant leadership to work, the leaders in the organization all have to buy in and exemplify the characteristics of a servant leader.

Servant leaders inspire loyalty. By putting others first, those in the organization come to appreciate you putting their interests above yours, fostering loyalty.

Servant leaders inspire trust. As with loyalty, by putting others before you, you inspire others’ trust. Others come to learn that you’re in it for them, not for you.

Servant leaders relate better to Millennials. Millennials want to work as part of a team – they don't want to simply be told what to do. Servant leaders are more collaborative, are more open to listening to others’ views and opinions, and they incorporate others’ views into the organization’s plans when appropriate.

Servant leaders serve a larger purpose. When it’s not about you, or about your ego or goals or dreams, you’re doing something bigger than providing for yourself.

Anyone can be a servant leader. You don’t have to have a title to be a servant leader. By definition, you are serving others, and through that service, you are leading. Everyone in an organization should be serving it, serving the greater good, serving others in it, serving its customers and its clients. And therefore anyone can be a servant leader.

Consider becoming a servant leader and developing other servant leaders in your organization, because it is through this mutual self sacrifice, when everyone has everyone else’s interests at heart, organizations can leap to the next level of success, growth and productivity. Apply these principles of servant leadership and you will realize that what appeared to be a paradox isn’t a paradox at all.
When to reassess goals. I wanted to be a professional baseball player. Everything I did up until the age of 13 was consistent with my goal of playing major league baseball. I was on the road to the “Major Leagues.” It was at the age of 13 that I learned that even though I was on the right road, the destination was unattainable. Striking out three times in a game made me realize it was time to reassess the goal. Later in my life, I chose a more practical goal – to become a lawyer. No one in my family was a lawyer. I didn't know any lawyers, and I didn't know what a lawyer did. I have to admit, it just sounded good. However, I didn't like public speaking, and I wasn't exceptionally good in school. However, I was blessed with a fairly quick wit and the ability to take a thorny set of facts and spin an alternate reality. A talent first recognized by my parents. Unfortunately, my earliest tribunal, my mother, called this “talent,” being a “smart mouth” and treated it by washing my mouth out with soap. Clearly, I was finally on the right track.

Before you can be an effective leader, you must do an honest self-assessment. Leaders must first know and understand their own strengths and weaknesses. Rarely, will a leader be the smartest person in the room or the most vocal person in the room. It is important for leaders to surround themselves with people who have qualities and talents they might be lacking. The role of a leader is to recognize and promote the best ideas regardless of the source. Sometimes during discussions, others will articulate the exact same idea you believe is necessary for an organization or project to succeed. As a leader, supporting and promoting ideas of others helps build consensus and can more effectively shape a common goal embraced by the entire group.

As we all know, the most efficient type of leadership is similar to the most efficient type of government; dictatorship. Although this type of leadership may be effective in the short run or as long as you have ultimate power, once it begins to erode, leadership ability will cease to exist. Leadership is patience and listening. People are much open to follow ideas or policies they had a hand in creating. Along these lines, it is very important to give credit where credit is due. Giving credit to others for ideas substantially increases the credibility and persuasiveness of any leader. There are times when leaders must simply exert their authority and “cram down” a decision which is believed to be vital to the success of an organization. In order to cram down a decision with minimal or little opposition, you must have built enough trust and respect to ensure support for a position even if there is disagreement. However, this should be a tool of last resort and should be used with caution to avoid losing group consensus and credibility.

One of the most pervasive issues that leaders will always face is “complaining.” People love to complain about everything from work environment, compensation, and how hard they work. These complaints/criticisms will never go away. They can, however, be successfully managed. Walt Disney, it is said, would not allow anyone to complain about a problem or process unless that person had a solution. We all know it’s easy to complain and criticize, but it is much more difficult to come up with a workable solution to a problem everyone recognizes. World hunger is a tremendous problem that exists worldwide. Is there anyone who cannot articulate how serious this problem remains? It does not take a genius to recognize the problem, but it is an extremely difficult problem to resolve. Setting aside the world hunger problem without getting too political, Leaders should actively engage and challenge “complainers” to find solutions that can be presented to the group rather than allowing them to repeatedly vent about issues without a plan. Effective leaders create an environment where others feel heard and involved in moving the organization’s agenda forward.

In today’s climate, everyone is talking about “marketing.” Get a better website, launch a blog, or start
tweeting. Become a super lawyer, a best lawyer, or the lawyer of the year. Most clients do not know the difference between a super lawyer or a best lawyer. One thing that has remained constant is that friends make the best clients. There is no substitute for the trust that your lawyer will be looking out for your interests first. Leaders recognize that cases can be lost, deadlines can be missed and undoubtedly will be over a span of years. However, the friendship will persevere. Get to know your clients and what they need from you. Understand their business; their responsibilities; to whom they report; and what they need to succeed. Your job is to help them succeed in their job. Friends do things to help each other succeed. For you to succeed, help your clients to succeed. Become an ally and friend to your clients, and not only will you succeed, your work will be more rewarding.

One of the difficult jobs and challenges leaders face is to get members of their own firm or entity to work together as opposed to against one another. Many people believe the only way they can succeed is if others fail. If this attitude permeates an organization, with everyone hoping others fail, then the organization as a whole will experience limited success. The difficulty and challenge of leadership is creating an atmosphere that promotes the success of everyone. Undoubtedly in any organization, there are those who will not get on board with such a program. They will look out for themselves first at all times. We all know who they are and many times they can be powerful individuals within any organization. The very success of an organization may ultimately turn on how you deal with these one or two individuals. It may also dictate what type of leadership style you employ going forward. Are you going to manage around them? Are you going to placate them? Or, are you going to confront them? In law firms in particular, this can be a challenge. Big business producers can be big bullies. They can ruin the collegiality and atmosphere of a law firm or organization.

So, what’s the best approach? Being a baseball fan, I support the “three strike rule.” The first pitch is “blame yourself.” It goes like this: As a leader, I did a poor job of articulating the goals of the organization or the firm and I wanted to take the opportunity to clarify any misunderstanding. It’s my fault. Strike one. The second pitch: “high and tight.” It seems like you have some difficulties complying with some of the goals we established. How can I help you achieve those goals? Strike two. The last pitch is what I call “the fastball” down the middle. You either swing and play ball and hit the pitch which is being thrown hard right over the middle of the plate, or you can let it go for strike three and … you’re out. The last pitch is a firm pitch with the description of the specific consequences if you don’t play ball as a member of the team.

A warning: effective leaders shouldn’t attempt to manage the bottom 10% of any organization. Corporations have gone broke and law firms have disintegrated because they spent the majority of their time trying to lead or manage the bottom 10%. Studies have proven it’s a waste of time and energy. You know who they are right now in your own organization. Hours and hours are wasted creating rules, developing specific procedures, and threatening the bottom 10% with the hope of getting them to “turn it around.” Get rid of them. Their success is fleeting at best. This may sound harsh, but reality is the bottom 10% consumes the most time and resources of an organization. Every sports team competes to be the best they can each year. Not a single sports team keeps the same underperforming player year after year. They identify the weak spots on the roster and try to get better. Law firms and business must do the same. We all understand this principle but many times fail to implement it when evaluating our own businesses. The bottom needs more training; requires more supervision; makes more mistakes; complains more; and ultimately loses clients. Spend your time and resources on the top 25%, not the bottom 10%.

In closing, leaders need to determine where it is the organization is going, assess the strengths and weaknesses of yourself and your team, focus on the positive changes that you wish to make, and enlist the best and brightest around you to accomplish those goals. In the end, give them the credit and accolades for the success in what you accomplish. You need not tell anyone you are the leader; those around you will know it.

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Leadership in Charitable Giving

Victor R. Anderson III


This proverb prompts the question how does one motivate his/her fellow citizens to participate in charitable giving? It takes benevolent leadership to inspire people to contribute to a charitable cause. Consider the inspired words of the apostle Paul when he encouraged the Corinthian Christians to support the relief work for their needy fellow believers in Judea. Did he try to force the Corinthians to give? On the contrary, he wrote: “Let each one do just as he has resolved in his heart, not grudgingly or under compulsion, for God loves a cheerful giver.” Let us take a closer look at that admonition.

“Just as he has resolved in his heart.” A genuine altruistic person gives because he has decided “in his heart” to do so. Because it is the right thing to do.

“Not grudgingly or under compulsion”, two types of giving that have no place among genuinely altruistic givers. The Greek expression “rendered grudgingly” literally means “out of sadness or grief.” A grudging or reluctant giver gives “from a heart made sorrowful at the thought of parting with money,” explains one reference work. A forced giver gives because he feels pressured to do so. Who of us really wants to receive a gift from a reluctant or forced giver?

One should not ask others to do what they themselves have failed to do. For example, it is not unusual for charitable foundations to require the entire board of directors of a non-profit organization to donate money to the non-profit entity before the foundation will consider making a donation. In other words, why should others contribute to a cause that is not worthy enough to get you to donate? It’s not enough for you to simply volunteer your time. These foundations want the board members to have “skin in the game” before they will donate money. In other words “lead by example and put your money where your mouth is.”

Once you decide to give, you should do so cheerfully, or with joy, not expecting anything in return, including a “thank you.” Happiness is a by-product of giving when it is properly motivated. The cheerful giver can hardly hide his joy. In fact, the term “cheerful” could very well describe both the inward feeling and the outward expression of the giver. A cheerful giver touches our heart.

Whether you are giving of your time, energy, money, or material possessions, use your head as well as your heart to make informed choices about charitable giving. According to Charity Navigator, there are three main things to look at when evaluating a charity:

1. Examine the charity’s financial health

Program Expenses: The majority of charities - seven out of ten non profits - spend at least 75% of their expenses directly on their programs. That means the organization should spend no more than 25% of their total expenses on administrative overhead and fundraising costs combined.

Growth of Program Expenses: Determine if the charity you are considering supporting is expanding or shrinking over time. While the growth doesn't need to be dramatic, charities that are shrinking are very likely cutting the very programs that you want to support.

Types of Support: Some charities rely heavily on membership dues, or government support while others survive almost solely on individual contributions and fundraisers and still others depend on program service revenue.
Having multiple sources of revenue can be beneficial for a charity. For example, if an organization experiences a drop in donations from individuals, then it can draw from other revenue sources to sustain its programs.

Executive Pay: As you examine salaries, keep in mind that a variety of factors impact pay including geographic location, size of the organization, and type of work performed.

Professional Fundraisers: Use of professional fundraisers in and of itself is not necessarily a bad thing. Professional fundraisers can be more efficient and effective at raising funds for the charity than staff or volunteers would be and some of the costs spent on these third party companies are funds that would also have to be spent on staff, equipment, and technology if the campaign were entirely managed in-house as well. However, if the charity is spending a lot on outside fundraising firms with little going towards its charitable mission, then you may want to look for another charity to support.

2. Check for evidence of the charity’s commitment to accountability and transparency

Website: The best charities are transparent and accountable to the public. You should be able to see evidence of this in the information they provide on their web site. Can you readily find information about the charity’s staff and Board of Directors? Did the charity publish its financial information such as its most recently filed Form 990 or audit?

Respecting Donors: Find out if a charity has a donor privacy policy. If you can’t find the privacy policy on the organization’s website, ask to see it in writing. You should have the option to request that your name and address not be shared with other organizations, if you wish.

Read the news: Check the charity’s recent media coverage through Google news or another similar service.

Form 990: Look at pages 3-6 to see if the charity is committed to best practices. For example, does it have a conflict of interest policy? Does it have a whistleblower policy? Does it have a process for setting the CEO’s pay?

3. Investigate the charity’s results

Learn about a charity’s accomplishments, goals and challenges by reviewing its website and/or talking with staff. They should be able to tell you about the quality and depth of their results as well as their capacity to continue to get these results, not just the number of activities or people served. This is critical step, after all, the charity’s ability to bring about long lasting and meaningful change in the lives of people and communities should be the key reason for your financial investment.

True altruism is inspired by people who like to give. Whether you are giving of your time, energy, money, or material possessions, use your head and your heart to make informed choices so your charitable giving is as impactful as possible. Although God may love a cheerful giver, as a leader, your constituents will not be cheerful if you encourage them to support a charity that is unworthy. Lead by example!
Thoughts on Leadership - Leading A Practice Group

Stacy A. Broman, Esq.

As we look ahead into the next century, leaders will be those who empower others.
-Bill Gates

I. PERSONAL EXPERIENCES: CLOSING IN ON 30 YEARS OF PRACTICE.

For the past 25-plus years I have been with the law firm of Meagher & Geer, P.L.L.P. in Minneapolis, Minnesota. I practiced for three years with a three person firm before joining Meagher & Geer. Because of the size of the firm, we obviously did not have any practice groups. We were the practice group. I joined Meagher as an associate and was voted a partner in the fall of 1997. While the firm’s practices are diverse, I practice in the area of insurance coverage litigation. In my first years at Meagher & Geer, environmental insurance coverage litigation was booming. Many of the key provisions in general liability policies had yet to be litigated and, as such, the case law changed rapidly. Discovery disputes were hotly contested with insurers objecting to producing claim files, underwriting documents, files regarding policyholders whose claims were not at issue, reinsurance documents, and a broad assortment of other documents. The insureds, in turn, took the insurers’ reluctance to produce these documents as a sign of hidden treasure. There were few reported appellate decisions and trial court decisions were being cited to and attached as exhibits in courts across the country. To keep up with the changes, the insurance coverage practice group met weekly at 7:00 a.m.

As associates we loathed the weekly 7:00 a.m. meetings (although our positions softened as the partners began to bring more and better pastries). In reality, the weekly meetings were essential to staying up-to-date and ahead of the changing law. As the years passed, the discovery issues were settled and the central policy provisions were litigated. The appellate courts issued an increasing number of written decisions and those decisions grew widely available through various electronic resources. Over time, the weekly meetings became monthly meetings, the monthly meetings became quarterly meetings, and, at some point, the meetings stopped altogether.

Meagher & Geer’s insurance coverage practice group today is more informally structured than it was when I joined the firm in the early 90’s. I have watched the formalities of the group wax and wane as the times demand and as personalities came and went. A near constant source of discussion at the firm today is whether we should require structured, well-defined groups among all practice areas. Ultimately, whether required or not, it is up to the leadership in each practice area to discover and implement that which works best for the particular area of law, the clients, and the lawyers working within each practice group.

II. THOUGHTS ON LEADERSHIP FROM OUR FORMER MANAGING PARTNER.

Meagher & Geer consisted of around 50 lawyers when I first joined the firm. During 14 of my years as partner, Gregory Stephens led the firm as managing partner. During his tenure, Greg Stephens led our law firm during a time of robust growth, growing from 50 lawyers in 1991 to over 75 by 2016. During this time we also added two offices – Scottsdale, Arizona and Bismarck, North Dakota. Until his retirement in 2016, Greg Stephens faithfully served Meagher & Geer, and I credit much of our firm’s success today to his leadership.

While completing her MBA in business at the University of St. Thomas in Minneapolis, Greg’s daughter interviewed her dad on his leadership style and philosophy. With permission, I have reprinted a portion of that interview because his thoughts on leadership provide useful insight to any person leading a practice group or firm:

Q. What is your leadership behavior/style?
I consider myself a servant leader who looks for ways to help everyone become more successful, and who asks the question, how can I help you become more successful? A servant leader provides regular and specific feedback on performance. A servant leader knows that people who feel valued and good about themselves produce better work. A servant leader delegates authority and empowers people to do their job, but at the same time accepts responsibility for the finished product.

Q. What are your top three leadership skills?
A. My top three leadership skills are an ability to build trust, motivate people, and listen well.

Q. What is one characteristic that you believe every leader should possess?
A. Good character—trustworthy, ethical, and moral.

Q. Why should someone follow you?
A. People follow me because they know that I am trustworthy and have no hidden agenda. In addition, I explain in clear terms why it is in their best interest to move from Point A to Point B. I have learned that if you are at Point A, and you want to motivate people to help you move to Point B, you need to show them where you are headed, why you are headed there, how you plan to get from Point A to Point B, why their contribution is important, and what is in it for them.

Furthermore, I spend time building and maintaining relationships and trust. I spend time developing, maintaining, and modeling the traits of a leader that are necessary in order to motivate people. I spend time to know the people who I lead and especially the “key players” to find out what inspires and motivates them. And then I tailor my motivation accordingly. I make people feel valued and needed. I tell them why their work is important and how it fits into the big picture. I provide clearly defined and understood goals and expectations to keep people motivated to achieve them.

Q. Do you think that leaders are born or made and why?
A. I think that leaders are made. Therefore, I agree with Vince Lombardi, the great Green Bay Packers’ football coach who said, “Contrary to the opinion of many people, leaders are not born. Leaders are made, and they are made by effort and hard work.”

We are not born a competent leader. It takes time to develop knowledge, skills, and competence. For a person to become competent, they must be committed to excellence in everything that they do. They must learn to become a problem solver. They must learn how to listen well. They must continually seek ways to improve themselves and others.

But at the same time, competence does not make a great leader. Great leaders do not fail because of incompetence. Leaders fail because of a failure in character. And it takes time to build one’s character so that one always does the honest, right thing even when no one is looking. Therefore, leaders are made over time.

* * *
Today, my office is filled with books, articles, workbooks, handouts, worksheets, and checklists on leadership and practice group planning. The majority of these authors reach remarkably similar conclusions on leadership that I believe Greg Stephens’s remarks exemplify. He mastered consensus building. He was always able to make people feel valued and motivated. Most importantly, he built relationships which allowed him to successfully organize and lead our firm in his 14 years as managing partner. It is upon his leadership style that I attempt to demonstrate leadership within the firm.

III. HOW THE EXPERTS RECOMMEND A PRACTICE GROUP BE LED.

As aptly stated by John P. Kotter in his renowned article and book of the same name, *What Leaders Really Do*, “Leadership is different from management[.]” Management is the discipline of organization and administration; it is concerned with how to effectively and efficiently accomplish a specified task or series of tasks. Leadership, on the other hand, is often directional, involving decision-making as to which tasks should be pursued in the first place. Managers direct and control. Leaders influence, inspire and challenge. “Management is about coping with complexity. Leadership, by contrast, is about coping with change.”

This is not to say that management and leadership are or should be mutually exclusive or that one is superior to the other; both management and leadership are essential and have their appropriate roles within a law firm. But, directing and controlling a group of attorneys (a task which sounds nearly impossible) is more difficult than it sounds. As Gutterman states, managing a law firm is not simply a matter of “herding cats,” but rather it is the task of “herding lions and tigers.” Leadership, therefore, can be a powerful tool.

Recurring problems with practice group leadership are readily identifiable and widely experienced. Overarching everything, practice group leaders, or attorneys for that matter, rarely receive any form of leadership training. Compare this to large accounting firm managers who often must complete between 300 and 600 hours of leadership and management training before assuming a managerial position. It is nearly axiomatic that lawyers don’t always make the best leaders. Another problem is role identification. Thomas Clay of Altman Weil, Inc., a legal consulting group, states that the largest complaint among practice group leaders is that they do not know or fully understand what their role is as a practice group leader. According to Clay, this results in ineffective practice group leaders who struggle with the inherent conflict between administrative tasks (management) and strategic tasks (leadership). Additionally, the firm’s qualified leaders may already occupy other leadership positions or may have never been nominated to leadership positions in the first place. For obvious reasons, the attorneys in the firm identified as having the strongest leadership characteristics are most often placed into firm-wide leadership positions, such as by appointment to a management committee. Adding to the problem, persons picked or nominated to be practice group leaders tend to receive the position in reward of bringing in the most clients and business. While these individuals may be “rain-makers” for the firm, they may not be leaders or have the time or interest in doing so.

One could spend a lifetime writing or lecturing on how to be a strong leader. Indeed, many have made their livings doing just and only that. But for me, leadership boils down to just a few simple principles. First, a
strong group leader will understand, or make every effort to understand, why their practice group exists. Does it exist solely because more than one attorney at your firm happens to practice in the same area of law? Hopefully not; hopefully it serves some higher purpose. But all practice groups need not fill the same role or purpose. Practice groups may operate to attract new clients, to drive growth, or serve the diverse needs of individual clients. Practice groups can be used as a marketing tool; sold to clients as a pool of resources, knowledge and experience. They can be used as a developmental tool; educating clients, the public, or the staff of the firm. They can be used as a social tool, both internally and externally to the firm to build relationships and cohesiveness within the practice group. Before one can effectively lead a practice group, the group’s purpose must be understood. Strategies can then be developed to fulfill that purpose.

To accurately and honestly understand your practice group, it is essential that you engage all in the group and firm hierarchy. Work to develop an understanding with management of what is needed from your practice group and how your group can best serve the firm. Be honest and open. Seek feedback. Reflect as to how the practice group can serve your clients’ needs. Consider how you can use the practice group to develop cohesiveness within your firm and how your group can interact with other groups within your firm. Develop a written plan as to how you can fulfill the purpose of the practice group. Always address your practice group and the actions you take in service of it in relation to the purpose you have given it.

Second, as the leader, you must also be aware that while the individual attorney is there to address his or her client’s immediate legal needs, the practice group, in contrast, should contemplate broader, long-term goals. It should focus on the industry, market, and the emerging trends and plan as far in advance as possible strategies for navigating the twists and turns and hills and valleys of its particular area of practice. While one of the roles of the practice group may be to serve the needs of the client, the group must take a more comprehensive approach to its dedicated area of law.

Third, a leader must lead and a good leader must learn how to lead. The “best leaders are the best learners.” While this statement is self-evident, leadership is not a skill that attorneys often consciously think about, let alone actively cultivate. It is absolutely essential, therefore, that you make a conscious effort to understand leadership, to recognize and develop a style of leadership, and to actively and continually work to improve your leadership abilities. To this end a virtual plethora of resources is available. If you wish to be a successful practice group leader, make the investment to educate yourself on what leadership is and engage in thorough self-inventory. But be aware, leadership is a skill and learning how to lead is highly individualistic. Often, experience is the best teacher.

To this end, the best leaders are those who know his or her weaknesses and build groups with individuals who complement and supplement their own skill set. You should identify your strengths and weaknesses, but you must resist focusing on the weaknesses and ignoring the strengths. To the contrary, research suggests that a better strategy is to focus on improving your strengths. You will gain more and be a better leader by improving that which you are already good at and addressing your weakness by staffing your group with those that are strong in the areas of your deficiencies and placing those individuals in areas with their own leadership responsibilities. Along this line, learn to delegate. The day-to-day administrative tasks of running a practice group can bog you down and take your eyes off of the long-term strategy. Remember, leadership is about setting a course and taking the journey. Delegating the routine administrative tasks can free valuable time that can be better focused elsewhere. Moreover, assigning responsibility will foster trust and confidence and promote growth within your group. And delegation of responsibility is itself a tool to teach leadership.

14 Supra, note 11.
15 Supra, note 11.
18 Supra, note 16.
19 Thomas C. Grella, Mountains and Molehills: The Challenge of Law Firm Leadership, 41 No. 3 Law Prac. 60, May/June 2015
Fourth, the most effective leaders are those who are viewed as exceptional at what they do by those they lead. According to Gutterman, “for a leader to be regarded as an excellent leader, s/he must be perceived by followers as consistently behaving at an extraordinary high level.” Being good at what you do is not enough. To be an effective practice group leader, you must always work to be viewed as the best, most capable attorney practicing in your particular area of law. Leaders lead by example, and if you wish to be an effective practice group leader, you must instill confidence in your staff that you should be followed.

Fifth, learn how to judge your practice groups effectiveness. As discussed above, you must understand the role and purpose of your practice group in the firm, industry and market and develop a written plan to fulfill that role. Drafting a written plan will permit you to establish guideposts through which you can evaluate whether you are fulfilling your purpose. Likewise, you can evaluate your group’s performance by soliciting consistent feedback from the client, your staff, and firm leadership. It is not uncommon for groups or individual attorneys to be unaware of client dissatisfaction until it is too late to remedy the situation. Moreover, clients are nearly universally willing to help you improve performance.

Finally, when you experience success in your group, celebrate and reward it. There is little that is more effective of motivating a group than recognition of good deeds done.

CONCLUSION

I chose Bill Gates’s quote on leadership to begin this article, “As we look ahead into the next century, leaders will be those who empower others.” The goal of practice group leadership should be to empower others to lead your firm to future years of success.

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20 Supra, note 17.
21 Supra, note 8.
22 Supra, note 8.
Increasing Your Influence

Heidi G. Goebel

Everyone likes to feel like their voice has an impact, and that their opinion matters. That they have the ability to have an effect of the character, development or behavior of a group. Or that they can influence the course of action of the community in which they reside, whether it be their law firm, volunteer organizations or even their family. Rarely does a person step into a new situation and instantaneously command the respect and admiration of the entire group that they are being introduced to for the first time. So, how do you increase your influence in a group? The answer is that such influence develops over time in a variety of ways.

This article provides several tips on increasing your influence. The advice in this paper consists of general guidelines that will work for most individuals. However, not every tip works for everyone, and it is important to be true to yourself, and the strengths and talents that are peculiar to you. The golden rule that overarches all is that you be a genuine and authentic version of yourself when interacting with others. Insincerity is easy to sense, and insincerity breeds mistrust and suspicion. It is difficult to create influence when folks are skeptically looking around the corner to see what is being hidden from them.

Be A Good Listener

First and foremost, listen. Listen hard and listen well. It’s impossible to have much influence over a group of people if you don’t understand what their goals are or what is important to them. One of the best ways to develop that type of comprehension is to pay attention to what people are saying in meetings. Be mindful not only of the words they are using, but also of the tone that is used and the intensity with which points are made. If you are truly listening to the views of the group you will develop a good idea of where the strengths and weaknesses of the organization lie, and where you could have a positive impact.

Don’t be Afraid to Speak Up

There are times when you are new to an organization when it can be intimidating, or even frightening to offer your opinions, insight or observations. Have the courage to voice your opinion or share your insights, even if your opinions are different than those being voiced. Be respectful and thoughtful in the way that you share your insights and opinions. A group is strengthened by the diverse background and experiences of its members, and sharing a viewpoint that has been otherwise overlooked can be one way to help increase your influence in a group, especially when your input is well-reasoned, and supported by facts and information.

Doing so needs to be done with the right amount of tact and diplomacy. No one likes to have ideas forced upon them. It is much better to build a consensus amongst a group than to try to impose a single point of view.

Be Curious

Ask questions and learn as much as you can about the history of the organization. Often policies that seem unusual or difficult are the result of some prior event in the organization’s history. If you are looking to change that policy, it is best to know how the policy came to be. You may have some very strong mindsets that led to the creation of that policy to overcome. You may also gain some insight about other considerations that have to be addressed before the policy could be changed. It is best to know all of the issues and components of a policy before making a proposed change.
Be Consistent

Showing up for meetings regularly is important. A drop off in attendance will not lead to optimal influence for a variety of reasons. First, it is hard to develop the kinds of relationships with individuals that result in true influence on an ad hoc basis. Events occur during meetings which become inside jokes, or which were tough challenges to overcome, that create bonds between participants over time. Skipping meetings means missing those key interactions with the key people in the group.

Second, you may fail to pick up crucial information about the group’s goals which is discussed during meetings if you aren’t there. You definitely aren’t going to be able to sense more subtle changes in the group’s general mood, or overall organizational tensions, if you aren’t in attendance on a regular basis.

Third, if you are consistently present, you will remain in the forefront of the minds of the leadership as someone who is committed to the group. They are likely to consider you as someone who is reliable and who can provide benefit to the organization – and someone who may have valuable potential to add to the organization.

Be Positive

Be the kind of person who is building people up and working towards a better future. People are drawn towards positive energy. Great leaders are often infectiously enthusiastic, even about the tiniest of things. That enthusiasm often has a group following along with leader before they even realize what has happened. If you make things fun, you can create a lot of momentum in favor of your idea or cause.

Be the Kind of Support You Would Want to Have

If you want people to support you, you need to be supportive of them. As an associate in a law firm, the best way to develop your influence is to make yourself indispensable to the partners you work for. Be reliable. Be timely. Be helpful. Be prepared. Be ready to catch things before they fall. Listen. Listen closely. Think about what you would want someone to have put together for you if you were getting ready for a hearing, deposition or meeting, and put that together.

The same holds true with organizations other than law firms. Those in leadership positions tend to be overloaded and over committed. Following these guidelines will make their lives easier and make them look good, which will cause them to appreciate you, and regard you in a positive light. At which point in time you will have had the chance to influence the decisions they are making, simply by helping get the information to them. Additionally, you will be a “go to” source in the organization for information and advice.

Be a Confidante Who Can be Trusted

There are times when sensitive or confidential information is divulged in an organization. If you receive this information, KEEP IT CONFIDENTIAL. Proving that you are a person who has the judgment to know when certain items are not for public consumption and keeping them quiet is a trait many do not possess. Demonstrating that you are trustworthy and discrete is something that makes you a valuable ally in tough times and in difficult circumstances, and a person of considerable influence.

Give Lots and Lots of Praise

When there are folks helping you, make sure you recognize them for the work they are doing. Do it often, do it publically and do it well. There is little that squelches the enthusiasm to support an individual than when a person takes credit for the work of others. One common way in which enthusiasm is tamped down, and resent-
ment builds up, is by passively accepting credit for others’ work by failing to acknowledge the work performed by others.

On the other hand, people feel warm and fuzzy when they are publically praised for their good work. Stimulating that part of people's brain helps to influence positive behavior and positive feelings about you as an individual, and increases your influence.

**Paying Your Dues**

Sometimes there is no better way to develop influence than just putting in time with a group. There are benefits to starting from the ground up. It gives you the ability to learn an organization from all of the various viewpoints and aspects. When you are there for the long haul you can better gain the understanding of how the needs of the organization can be fulfilled.

**Be Fair**

There may be times when the best thing for the organization may not be the best thing for you, or your preferred event. In those times, you may need to vote in a way that favors the organization over your personal interests. At a minimum, you need to be sure to treat everyone fairly.

**Don't Pull the Ladder Up Behind You**

If you have been fortunate enough to make it to a position of leadership, don’t forget to serve as a mentor to those coming into the organization. Strangely, this step often gives you the most influence of all. The gratitude people feel for those who have helped them make connections that can be immeasurably stronger. You rarely forget those who have helped you along the way, and the impact those individuals have on your life is lasting and tangible. When you help others, you almost certainly influence their views of the organization in a manner that is consistent with your goals and viewpoint.

Take the time to teach the next generation what has worked for you and what hasn't. Help them stay away from the pitfalls you weren’t so fortunate to avoid. Be the kind of person who creates a team and brings people into the group. By opening the door and making it easier for people to get in, you will have widened your circle of colleagues, and just by helping others, you’ll have increased your influence and sway throughout the group.
Leadership is the art of getting someone else to do something you want done because he wants to do it.

-Dwight D. Eisenhower, 34th President of the United States and Supreme Allied Commander in Europe during World War II

Or, per his predecessor as President, Harry S. Truman: “A leader is one who has the ability to get other people to do what they don't want to do, and like it.” Sounds easy, but is it? How can one be a true leader in their career, their organization, their life? It is to learn the essence of persuasion.

Ed Catmull, President of Disney-Pixar Animation, and co-founder of Pixar itself, states in his groundbreaking 2014 book, Creativity, Inc., “[leadership] is the focus on people – their work habits, their talents, their values – that is absolutely central....” Lao Tzu, the ancient Chinese Philosopher, observed: “A leader is best when people barely know he exists, when his work is done, his aim fulfilled, they will say: ‘We did it ourselves.’

**Persuasion comes from knowing your team.**

People do things for their reasons, not yours. Interact with them as to who they are, not who you are. Get out and into the people you profess to lead. Get up and walk around. Whether really getting up and walking around to speak with your team members individually, or figuratively getting around to personally get in touch with the members of your team. Each one.

Mix with them. And be open to them. Keep an open door and an open mind for and to their concerns. The more you are known and the more you know about your team members, the better you can enhance your persuasive powers. Spending time at your desk shows others you care about yourself and your own interests. Get out and about and engage others!

Find common ground with those who you lead. Attunement. Focus less on yourself, and connect what matters to those you lead to what you need to accomplish. See things from their point of view. What do they think? What interests them? Create positive emotional experiences for your team members. Anchor your relationship with your people and their loyalty earned by you will be a classic gift of leadership. Boost self-esteem of your personnel. Empower them. “If people believe in themselves, it is amazing what they can accomplish.” So said Sam Walton. Leadership is unlocking people's potential to become better.

**Persuasion should be planned.**

Plan the message whether it is to be by word, deed or both. Better to be both. Know the objective, know the audience, plan what to say, and seek feedback constantly. How does your idea or proposal address the concerns and needs, the pain points, of your team? Coalesce others around a shared vision. Build consensus in groups. Confront the major anxiety of their people in their time. Pay attention to their needs. Indeed, focus on people's needs, not their feelings.

Know your audience. Demonstrate your focus is on the greater good of the organization, not on you. Shaping your message for your audience shows you respect them and that you have a deep understanding of who they are and what their needs are.

Persuasion in leadership does not mean the entire team must be unanimous. Consensus is good. But measure the impact of focusing too much on the consensus and not enough on the goal and result. Consensus can be the enemy of excellence when one waits too long to get everyone on board. In such a case, the goal can be lost to a myopic or indecisive effort to win all team members over to the plan. The key comes from assuring everyone believes they have a voice, even if they disagree, so that they will trust you if they know you trust in them. In the end, a leader
must be right by those being led.

**Effective persuasion comes from listening in all respects.**

Communication starts with listening. Listen with your ears and your eyes. And with your heart. Listening well requires selflessness, practice and patience. In meetings, stay connected. Maintain eye contact. Do not interrupt. Allow others to speak.

Detect interest, and detect team member’s individual and collective investment in the goal and path to get there. Allow them to see themselves doing that which must be done. Check their level of engagement. Are they comprehending? Are they confident? Defensive? Body language comes to play.

Allow people to see you are expert in a certain relevant area, and they will be more likely to listen to you. Being expert in an area is different from being a ‘know-it-all’. Expertise can be demonstrated oftentimes by actions, and not by words. Be authentic. We have all seen the ‘know-it-all’ lose a room, while the expert—the authentic expert—does not need to prove expertise – rather it will prove itself via the expert’s authenticity.

One leads not by pointing and telling people some place to go. Rather, one leads by going to that place and making a case. So mused American author and erstwhile philosopher Ken Kesey. Influence will come when others better understand where a leader is coming from. And even if team members fail to understand the long view, they will trust the leader has their needs and the organization’s best interests at heart.

**Persuasion comes from passion in the heart and mind, not position and authority.**

Ken Blanchard, American author and management expert, reflects that “the key to successful leadership today is influence, not authority.” If we exercise authority too much, too often, humans will react in one of two ways: comply or defy. So, have passion not position.

Leadership comes not from winning a popularity contest, but rather from an effort to influence. When failure comes (and it will), own it and learn how not to blame others. Provide opportunities for self-direction, help people make progress and allow them to make a difference. Allow them to solve problems without having go “up the chain.”

**Persuasion is rooted in trust. So too is Leadership.**

People need to trust you, to trust in your integrity to do what you say you’ll do and how you will support them to succeed. Through that trust comes consent by your team for you to lead. This would not be in the form of a written, express consent, but rather in the implied sense that Abraham Lincoln considered when he said, “No man is good enough to govern another man without that other’s consent.”

Trust is stability. Ed Catmull, in *Creativity, Inc.*, notes “Leaders must demonstrate their trustworthiness, over time, through their actions – and the best way to do that is by responding well to failure.” These efforts must be consistent.

Trust is earned. It is personal, and it is emotional. Trust can shatter in an instant, or it can erode, slowly allowing doubt and fear to corrode the relationship. Broken promises, inconsiderate actions, disorganization, failure to commend good performance, lack of preparation, inaccuracies – all these and more erode trust, and then corrode what is left.

Trust neutralizes the status quo by reducing fear. “Overcoming fear creates courage”, observed American World War I flying ace, Eddie Rickenbacker, later chairman of Eastern Airlines. The leader has the ability to control what people are allowed to see. Exercise that judgment, that control. Think well and hard before speaking, before taking action.
Trust derives from character, fundamental to persuasion.

The true leader seeking to persuade, separates his or her own ego from the right path for the organization. Others will not follow the leader’s ego, they will devote themselves to what they believe is the right path for the organization when viewed through the lens of their own needs. A leader should show a solid strategy and great character – but as General Norman Schwarzkopf said, if one has to go without one of them, go without strategy.

Persuasion, and hence good leadership, derives from humility, clarity and courage.

Character begins and ends with humility. And with humility, closely allied come clarity, and courage.

--Persuasive leadership begins with humility.

Humility is at the epicenter of leadership effectiveness. Openness, listening, authenticity, likeability, kindness and wisdom are all elements of humility. Listening has been discussed above, along with openness and authenticity.

Likeable does not mean being shallow or manipulative. It requires a sense of integrity in all to be done. There is that ‘character’ thing again. Kindness is not softness, it is the opposite—a good leader’s actions should put the Golden Rule to work! Wisdom, achieved by acting not from self-centered insecurity, but through a countenance reflecting the needs of the team members measured with a patient and confident devotion to character, integrity and the overall goal of the enterprise.

Humility is so important that one of the most recent major reports on leadership and failure of leadership makes it clear. Recently and in 2017 in particular, the United States Navy experienced a collection of mishaps and collisions of its ships with others. The Navy’s Fleet Forces Command in October 2017 completed its Comprehensive Review of Recent Surface Force Incidents, stating in its report: “Command leadership, regardless of experience and rank, must have the humility to constantly encourage their subordinates to [“use their voice to provide forceful backup when they see a deviation from procedure or dangerous situation developing.”]”

--Clarity gives strength to persuasive leadership.

Clarity comes with a clear definition of the organization’s goals as well as those important to the individuals on the team. It means the leader removes roadblocks that impede reaching the goals – and this might just mean the leader’s own behavior has to change. Effective leaders reinforce winning behaviors in others and in themselves.

--Courage to trust and to take action, that is, to persuade, provides true definition to leadership.

Take courage. Courage carries two prongs: the courage to trust people on the team, and the courage to get into the ring for and with the team. As a leader, trust team members just as you need them to trust you. One time U.S. Supreme Court Chief Justice Oliver Wendell Holmes wrote, “Many ideas grow better when transplanted into another mind than in the one where they sprang up.”

The Chinese proverb applies here: ‘It is not the cry, but the flight of the duck that leads the flock to fly and follow.’ A more moving and inspiring message of taking the courage to get into the ring came in the early Twentieth Century, when in his famous 1910 speech at the Sorbonne in Paris, Theodore Roosevelt took to the podium and declared:

“It is not the critic who counts; not the man who points out how the strong man stumbles… The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs, who comes short again and again … who does actually strive to do the deeds; who knows great enthusiasms, the great devotions; who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who neither know victory nor defeat.”
Put people first; connect; Position people to win; build trust and create positive emotion experiences. Through planning, humility, clarity and courage, earn the right to the priceless gift of leadership and continuously re-earn it through positive and effective persuasion in both word and deed.
Hiring Leaders

Tiffany M. Alexander

If your actions inspire others to dream more, learn more, do more and become more, you are a leader.
-John Quincy Adams

The success of any business depends on the quality of its people. This is true whether the business is a law firm, a consulting firm or a Fortune 500 company. The challenge for firm and business leaders continues to be finding and retaining the best people with the skills to lead, innovate and grow the organization into the future. All too often, it is the lack of quality leadership which leads to employee disengagement and costly turnover. According to a recent Gallup study, “[O]ne in two employees have left their job to get away from their manager at some point in their career”. ¹ In the legal profession, where time is money and the market is more competitive than ever, it is critical to build the most talented team to meet your client’s needs. While many studies have identified leadership traits, there remains great debate as to whether these traits are inherent or transactional, but it is safe to say that you know good leadership when you see it.

1. Hire for a purpose

The decision to hire should not be made lightly. It is important to first define the needs of your client, the nature of your practice and the skill set required to meet those needs. Hiring based on an immediate need, such as sudden influx of work, or a discrete project, is certainly inevitable, but if the goal is to bring consistency and cohesiveness to the firm, consider the role this candidate can play in mentoring and developing others in the firm and their potential for business development and marketing, and try to engage them on a larger scale than just the initial project.

For that to work, the candidate must possess the right skill set for the task and be the right fit for the firm environment. Work experience and education are always important, but perhaps more important are the skills that cannot be taught, such as confidence, personality, good verbal communication, drive and high moral character. In my years of experience hiring in business and the legal profession, some of the most successful hires had little to no experience with the posted position, but because of these “intangibles”, were very successful given the right training and mentoring.

That said, where the candidate does have experience, it may speak volumes to their true interests and ability to fit your hiring needs. For example, while hiring associates for a trial practice, many candidates told me they want to try cases, yet their work experience was completely unrelated to litigation, they never participated in a mock trial or jury research and didn’t take any practical courses in law school related to trial practice. Because there was no past indication of the slightest interest in trying cases, it was difficult to perceive how they could be the best fit for the firm’s business model or the clients we served.

2. Focus on the team

The most effective leaders leverage their own strengths to complement those of the team. If, during the interview, you ask a candidate why they want to join your organization, the response can be very telling. In some cases, candidates have told me that they want to join a successful firm so they can develop their own business and make partner. Compare that to the candidate that tells you their strengths align with the firm’s practice and they look forward to serving their clients’ needs as well as growing a successful client base. Both goals are fair, and likely true, but the “me” candidate will never motivate others to collaborate with them, which will leave a gaping hole in the leadership track. Look for the “us” candidate, who will be much more inclined to work with others to achieve a successful result for the client.

¹ State of the American Manager, Analytics and Advice for Leaders – © 2015 28
One method I’ve used with great success while interviewing associates is an ambush of sorts, engaging multiple associates who, unannounced, conduct their own interviews without any partner in the room. Associates who were hired after this “gauntlet” reported they enjoyed the opportunity to talk candidly with other associates about the firm environment, leadership and opportunities for growth. Likewise, the associates who participated enjoyed being a part of the selection process for the next member of their team, and felt invested in the success of the candidate once they started at the firm.

The value of mentoring and promoting from within cannot be overstated, and as we move up the ladder we have the obligation to reach back and give future leaders a hand to pull them forward. The successful hire will be a person who understands and ascribes to this, and who has demonstrated, through life or work experience, a commitment to collaborating with and helping others, such as coaching, community involvement or participation in social or political organizations.

3. **Diversity and inclusion are essential for success**

No organization can thrive without a diverse team. With it comes diversity of thought, communication style and an innovative approach to resolving issues. Hiring a diverse team is half the battle, but inclusion is the key to long-term success. It is imperative that leaders create opportunities for diverse team members to play a meaningful role in litigation, negotiations and trial to keep them engaged and to achieve the best result for the client. Clients, juries and judges see right through the illusion when a diverse lawyer is at (or near) the table just for show, and the result is demoralizing and ineffective.

To do this successfully, leaders must confront inherent biases and ensure bias is not part of any hiring or work assignment decision. It is unfair to assume that an individual is not “suited” to a particular task or position because of their gender, family or childcare situation, race, nationality or sexual orientation, but it happens, inexcusably. Simply put, the client is best served with a diverse team and diversity of ideas, and a good leader will empower his or her diverse employees to that end.

4. **Keeping leaders engaged after the hire**

Civility is critical for effective leaders. Leadership by intimidation may get the job done in the short term, but it cannot earn you respect. Creating an environment in which someone is afraid or hesitant to share ideas undermines the confidence of employees and fails the client. It is especially problematic in the legal profession, where advice and counsel is our most valuable asset. Individuals who stay in this type of environment are likely not leaders themselves and cannot lead the firm into the future. Instead, empower employees with clear and concise instruction, follow-up and constructive criticism where needed. Open lines of communication and creating an environment that encourages a full exchange of ideas is best for the client, and provides the “buy-in” that your employees need to stay engaged and productive.
Collaborative Courage

Timothy A. Pratt

INTRODUCTION

So much is written about leadership, for good reasons. There was a time when smarts and hard work were the critical keys to success. Those characteristics still count but they largely advance individual rather than team performance. And it’s becoming increasingly rare that success rests on the shoulders of one person. Whether it is in a law firm or corporate America, relying on the isolated work of individual contributors is not the recipe for success. Individuals must work together so the team becomes more powerful than the sum of its parts. And the critical aspect of “working together” implicates leadership skills. Think about the unifying aspect of a leader who gives credit rather than takes it, accepts accountability for things that do not work out well, commands executive presence, displays compassion for others on the team, is calm in crisis, and exudes a humility that belies his or her own abilities and accomplishments.

These things will bring people together into a cohesive and collaborative group. They will enjoy the work and each other. They will respect the leader. But the question is this — will these traits alone allow the team to perform at its highest level? I submit the answer to that question is “no.” There is one thing missing. A leader who wants to inspire others to achieve heights that they think insurmountable needs to have something that is hard to come by. That is courage. It was Aristotle who many years ago characterized courage the “first virtue” because it is the foundational virtue that makes all others possible. In a similar vein, courage is the foundational virtue of leadership.

WHAT IS COURAGE?

Courage comes in many forms. It is displayed in its most glorious form by our military heroes, our police and fire department personnel and our first responders, where it emerges when the situation calls for immediate action with uncertain, even deadly, outcomes. There is a courage that is summoned when one is faced with a personal challenge — an accident, a diagnosis — where one has to confront the unknowns of tomorrow with hope and resilience. Courage, in all of its forms, requires a person to approach a situation without an assurance of defeating the odds but with an abiding confidence that one must try.

And therein lurks the type of courage that organizational leaders must display. Many business challenges are not simple. They cannot often be solved by the safe route or the common denominator of consensus. They are driven by the leadership of someone who sees solutions beyond the obvious, who thinks and acts boldly. Failure is a possibility but the fear of failure is not an obstruction. Without stretching beyond the comfort zone, one languishes in the status quo and does not get better. Teams that are most successful are driven by a leader who is courageous, decisive and tough. A leader who has the ability not only to suggest novel solutions but also to bridge the chasm of doubt and uncertainty implicated by those solutions. One who has the courage to not only see the future, but also to seize it with gusto.

Courage, therefore, is certainly a laudatory trait, and few would doubt that truism. So, why don’t more individuals display it? That is the burning question. The simple answer is that many people are risk-averse. Risk aversion may creep into our consciousness at an early age or due to an early failure. Instead of defaulting to daring, one may be programmed to ask the question, “What’s in it for me and is the risk worth the reward?” As we wrestle with questions like that, we tend to look for reasons NOT to do something rather than to do it. There is a certain logic in being daring, but it’s also emotional. One has to trust his or her “gut.” Yet, when faced with a risky choice, people tend to ask questions—they delay, they discuss, they equivocate and they often talk themselves into doing nothing. Let’s take a look at a few of the common questions.
“WHAT IF I FAIL?”

Humans by nature are overly-cautious. Many grow up with the notion that failure is a sign of weakness and the best way to avoid that outcome is to embrace the safest route. We must be powerful and strong, we say to ourselves. We must win. We fear something will go wrong. We fear regret. In his new book entitled *The Undoing Project—A Friendship that Changed Our Minds*, Michael Lewis explores the lives of two Israeli psychologists, Daniel Kahneman and Amos Tversky. These psychologists were intrigued with how people make decisions, and they made it their life’s work to answer that question. They developed different theories over time, and one dealt with the concept of “regret.” The thesis was that one avoided making tough decisions that rattled the status quo because, if things didn’t work out, the pain was greater than pain resulting from a less risky decision. As Kahneman said in a note to Tversky, “The pain that is experienced when the loss is caused by an act that modified the status quo is significantly greater than the pain that is experienced when the decision led to the retention of the status quo.” So, why put yourself at risk by rattling cages and disrupting things as they are? Keep your head down. Play it safe. That is our innate default code.

By doing so, though, you will never achieve your full potential or that of the team. Timidity is not a leadership criterion. Sure, there is the risk of pain with failure, but there is also the upside of exhilaration with success. We live in a rapidly changing world where the status quo can become obsolete in the blink of an eye. Any organization that wants to be great must see far into the future and make course adjustments to adapt to expected changes. There are several examples of companies—Kodak and Blockbuster come to mind—that failed because they didn’t do exactly that. Reasons that make sense at the time become untenable far too late for the company to do anything about them. The culture of a great company depends on leaders within the organization having the courage to raise their hands and challenge comfort zones. They may be wrong. The ideas may fail. But that should not defeat the spirit of leaders to continue to challenge things.

Nelson Mandela, who spent most of his life fighting apartheid, knows a lot about leadership and courage. He fought the odds, which were stacked against him. His will was unbroken, even during his many years of imprisonment on Robben Island. His perseverance flows from a belief that he was in the right and that right would prevail. In other words, he had the conviction that things would change and his views would ultimately be adopted. Certainly he had many moments of trepidation. But he fought through them. As he put it:

I learned that courage was not the absence of fear, but the triumph over it. The brave man is not he who does not feel afraid, but he who conquers that fear.

That is the definition of a leader. When others see you as one who believes in the cause and is willing to risk all to accomplish it, they will follow you. It will inflame them with the same spirit. Success, though not ensured, must be pursued because of the embodied belief that the chosen path is the right one.

“WHAT IF I GET PUNISHED OR EMBARRASSED?”

Failure can have consequences. When you extend yourself and take a chance, failure to accomplish the established goal may generate embarrassment. Yes, others may find out and perhaps hold it against you. Maybe there is a concern that a career might be derailed. These are the concerns that keep people in a cocoon: “Be cautious, don’t take chances, stay invisible.” But people who live in a cocoon can never become a leader of others. How do leaders manage these concerns?

First of all, find or create a culture where courage is rewarded and failure is not treated as catastrophic. Work for a leader who is innovative, courageous and has your back. Yes, there are places where the expectation is that one should not be daring. Such companies have fallen in love with the way things are. They will ultimately fail. True leaders thrive in a culture where innovative and courageous action is not just encouraged but required.
These places exist. If that is not the culture where you work, either change the culture or go elsewhere. Do not be stifled by a workplace where people walk on eggshells and refuse to take necessary steps because they are paralyzed by the notion that the risk is not worth the reward.

Secondly, be prudent, calculate the odds and be “feisty.” In her book, *Nimble, Focused and Feisty*, Sara Roberts explored what it takes for organizations to succeed. She concluded that the most successful organizations were faster, more agile, committed to a sense of purpose and played big and bold. Playing big and bold required courage. Roberts described the attributes of a courageous leader as follows: (1) anchors the organization to its purpose and values; (2) sets audacious but not unreasonable goals; (3) communicates honestly and humbly; and (4) is “stubborn on vision and flexible on details.” But, being courageous is only half of the battle. To realize the audacious goals, one must also be a “connector,” which is similar to being a collaborator. The connector, Roberts notes, will connect the team to a purpose, connect the team to drive results, connect people and efforts in the organization and connect ideas to resources.

By doing these things, you will build credibility. You will create and inspire a collaborative network where all things are possible. The risks you take are bold but calculated. Critically, because of proven results and a support from all layers of the organization, failure is cushioned. There is a recognition that all things do not work out, but the key thing is to keep trying. That is a culture that will keep the creative juices flowing. And that is a culture that will drive an organization, and the leaders within it, to heights they can only imagine.

“WON’T MY TEAMMATES HOLD IT AGAINST ME?”

To start with, the alternative isn't that great either — being fearful will not inspire confidence within you team. Nor will they rally around you if they consider you brazen, rash or impulsive. There is a wide gap between these two ends of the spectrum. The goal is to be courageous AND collaborative. That requires you to involve the team in the whole process, end-to-end. The concept of “collaborative courage” involves several steps: (1) include others in early discussions about the course of action you are proposing; (2) build support for what you want to do — YOUR plan becomes OUR plan; (3) be honest and realistic in discussing the pros and cons; (4) be sure the team understands that you are willing to absorb the consequences; (5) create a work plan with timetables so clarity is brought to its execution; (6) get as many teammates involved in the implementation as efficiently possible; (7) if things go well, share the success; and (8) if things don’t go well, accept responsibility and instill a spirit to try again.

There is an important point about all of this. Great companies move urgently and nimbly. You can't rule by committees and consensus. To be truly efficient, a few need to drive change for the many. Collaborative courage does not mean that everyone who may be potentially affected by the decision needs to be consulted and convinced. That would be impractical and is the opposite of “leadership.” Bold moves require that a small group of people decide to chart a course and then work together to accomplish the goal. They must work fast and fearlessly. It’s that small group of people who must work together collaboratively and feel supported.

One cannot think of collaborative courage without reflecting on the Founding Fathers. This was a small group of individuals representing the 13 colonies who had a lot to lose. They faced personal risks by doing something that would be considered treasonous. They also had the weighty responsibility of not letting down others who trusted them to do the right thing. The future of the republic rested on them. The 56 signatories to the Declaration of Independence in 1776, led by the likes of John Adams and Thomas Jefferson, clearly took a courageous leap into the unknown. Setting aside their personal exposure, the signatories were not sure that the war would be won so the colonies could separate from England. They didn't know whether the colonies, so different in many ways, could even survive collectively. Yet, the leaders leapt into the abyss and declared the colonies independent of England.

That was the first step. What remained to be done, other than actually winning the war, was the creation of
a constitutional government based on principles of federalism. Think about how hard that was. Thirteen independent colonies were to join together and be governed by a central democratic government, while preserving many rights to themselves. No one had ever done such an audacious thing. There was no recipe. There were the Articles of Confederation but, after America won its independence in 1783, the colonists began to believe that the Articles were inadequate for their purposes. What was required was a stronger, but not too strong, federal government to mold together a rather loose confederation of states. How in the world could they agree to something like that, especially after they just fought a war to achieve greater independence from an autocratic authority?

The answer was a group of daring leaders who came together to solve this problem by compromise, flexibility and collaboration. Between May and September of 1787, the 55 delegates to the Constitutional Convention in Philadelphia proposed, debated, worked through frustration, compromised and came up with something extraordinary—a document that would serve this country for centuries. The United States Constitution created the three branches of government, provided citizens the guarantees in the Bill of Rights and carefully allocated roles and responsibilities between the states and the federal government. Imagine the collaborative courage that permeated that room. That’s how success is achieved. Think greatly as a team and work together to clear all of the impediments. Those 55 delegates surely left Philadelphia in a collegial state of mind and a mutual sense of a “job well-done.”

“What’s in it for me?”

Being courageous is certainly in your best interests. It is well established that advancement in successful organizations is tethered to one’s leadership abilities, and one’s leadership abilities are largely dependent on courage and collaboration. By displaying these characteristics, you distinguish yourself and move up the ladder more quickly. Worthwhile places to work both recognize and reward bold innovation. You will also enjoy a higher degree of self-satisfaction. It is exhilarating to take a risky course and deliver great rewards. You will have more confidence as you create or confront new challenges. Within your team, you will have more influence and respect. All of these things will make you a better and more effective leader.

You will also achieve greater outcomes, for yourself and your organization. It is certainly true that meaningful innovation trumps status quo every time. As Will Rogers wisely said, “Why not go out on a limb? That’s where the fruit is.” Companies that take risks are more innovative and perform better than those that don’t. This was recognized by Howard Schultz, the Chief Executive Officer at Starbucks, in a letter to all employees last year:

Recently, our senior leadership team and the Starbucks Board of Directors approved a long-term strategic plan that will further elevate the company. Our plan does not embrace the status quo. In fact, the plan will require a higher level of thoughtfulness, creativity and discipline than at any other time in our history. To be among the world’s most respected and enduring companies, we must constantly look around corners and let our curiosity and courage drive innovation. With this mindset and purpose, I have no doubt we can continue to grow the company sustainably, and in ways that will continue to make us all proud.

A company is only as courageous and innovative as its employees. It is in the best interests of a company to find and retain leaders who think big and do not wilt under pressure. Be one of those leaders.

“How do I do it?”

Well, just do it. When faced with a new opportunity that carries risk, and most good ones do, don’t wither or dismiss it out of hand. Weigh carefully the advantages and disadvantages. Make the decision that seems a little edgy. Don’t be deterred if you take a chance and fail. Being bold requires practice. Make it a habit. Build that muscle. And do not feel that you have to do it alone. Discuss with others you trust, but don’t do so with the hope
that they will talk you out of what you want to do. Drive action, not inaction. And be balanced. As you discuss the risks of seizing the opportunity, also talk about the risks of standing pat. Often that part of the equation gets ignored. Think — “What if our competitor does that?”

On April 23, 1910, Theodore Roosevelt gave a speech in Paris, France. He addressed the concept of taking risks:

It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errrs, who comes short again and again, because there is no effort without error and shortcoming; but who does actually strive to do the deeds; who knows great enthusiasms, the great devotions; who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly . . .

If you are going to fail, do it while “daring greatly.” This passage caught the attention of Brené Brown, a researcher who explores human vulnerability. Brown wrote a book called *Daring Greatly*, where she talked about how vulnerability keeps us from achieving our full potential. She points out that vulnerable feelings about ourselves may tempt us to wait for a better moment, when we are more ready. However, that would be a mistake, Brown notes:

When we spend our lives waiting until we’re perfect or bulletproof before we walk into the arena, we ultimately sacrifice relationships and opportunities that may not be recoverable, we squander our precious time, and we turn our backs on our gifts, those unique contributions that only we can make. Perfect and bulletproof are seductive, but they don’t exist in the human experience. We must walk into the arena, whatever it may be — a new relationship, an important meeting, our creative process, or a difficult family conversation — with courage and the willingness to engage. Rather than sitting on the sidelines and hurling judgment and advice, we must dare to show up and let ourselves be seen. This is vulnerability. This is daring greatly.

In other words, the more we confront vulnerability, uncertain risks and emotional exposure, the more courage we will have. And the opposite is also true. Despite what happened to Icarus, don’t be afraid of flying too close to the sun. Dare great, but don’t be stupid!

CONCLUSION

There is no silver bullet here. The ideas here are lofted for your consideration. Words alone will not make you courageous. For that, you need to dig deeper. In his Pulitzer Prize winning book, *Profiles in Courage*, John Kennedy told several stories about political courage. He started the book on an auspicious note: “This is a book about that most admirable of human virtues—courage.” And he ended the book in this way:

To be courageous, these stories make clear, requires no exceptional qualifications, no magic formula, no special combination of time, place and circumstances. It is an opportunity that sooner or later is presented to all of us . . . In whatever arena of life one may meet the challenge of courage, whatever may be the sacrifices he faces if he follows his conscience — the loss of his friends, his fortune, his contentment, even the esteem of his fellow man — each man for himself must decide for himself the course he will follow. The stories of past courage can define that ingredient — they can teach, they can offer hope, they can provide inspiration. But they cannot supply courage itself. For this each man must look into his own soul.

For every man and woman who wants to be more, do more and succeed more, gaze into your soul and
eradicate timidity, fear of failure and an abiding affinity for playing things safe. Be bold. Be smart. Conquer the world.
Leadership In Adverse Times

Michael I. Neil

When the going gets tough, the tough get going!

The true leader is at his best when he or she is tested. Whether it is in a law firm, in some other endeavor in which we participate, or possibly in our prior experience, we have all been tested one way or another. I am going to relate a non-legal story to help illustrate my point.

After I graduated from law school in 1966, I went directly into the Marine Corps with the promise that I could be an infantry officer. Many months later I found myself in Vietnam as a Second Lieutenant Platoon Commander. In early August of 1967, our battalion was on a week-long operation deep in bad guy country, and upon our return to our battalion base, my platoon was assigned to protect a bridge. This particular bridge was just south of our battalion command post, and it was an important link on the highway between Da Nang and Saigon. The defenses on the bridge were in terrible shape. I asked for help from my company commander, and the assistance was denied. On the second night on the bridge, enemy sappers came through our wire in an attempt to blow up the bridge. It was probably the worst night of my life; it was absolutely chaos inside the wire with enemy sappers running around attaching satchel charges to the bridge and shooting at my men. We successfully defended the bridge and kept it from being blown up. However, in the process, I suffered many casualties, including KIAs. I initially thought my career was over because we had allowed the enemy to penetrate our defenses. But, I came to realize that the superior officers within our battalion and regiment recognized the leadership that I had shown in protecting the bridge under the circumstances and understood that no defense is impenetrable.

The lesson that I’ve carried with me all my life from that terrible night was that no matter how bad things get, and they were bad for several hours that night, you fight like hell; lead your men; let them know you’re with them every step of the way, including shooting back; and let your people know of your presence, which was always reassuring. When you have to yell, you yell. And whatever it takes to get the job done, you do it.

While this is a pretty crude analogy to many of the issues that we face in our practice of law, I still think and believe that you learn from experience and you build upon it. In other words, no matter how bad the day or night might be, the sun is going to come up the next day, and let the people you lead know you’re with them every step of the way. It may be as simple as walking down to the office of every one of your lawyers and reassuring them that things are going to be okay and that you all are going to be standing together against whatever adversity presents itself, much like a young Second Lieutenant would go from foxhole to foxhole to reassure his 18-year-old Marines that everything was going to be fine. I think one of the most adverse and trying times a leader may face is when a firm loses a particular client that has brought in a lot of business over the years. These things happen, and it is the nature of the beast that clients move on no matter how good the job is that you are doing. Leaders and clients change, and they prefer their own particular friends in other law firms, or there could be 100 other reasons why the change is made, despite your good efforts. These are the times that the true leader steps forward and lets his people know that we’re going to go out and redouble our efforts to bring in new business and reassure, especially the young lawyers, that you are behind them and you are going to be leading them and you are there for them.

When you are tested in adverse times, always strive to do the right thing. Don’t do something just because it feels good. Make sure that what you are doing is what is right. There is a country western song that I heard recently where the singer says something to the effect that there is no way to make something right by doing the wrong thing. I recall a time when a friend of mine asked me about a financial contribution that I had made, and he asked me if it made me feel good. My response, totally from the gut, was that no it didn’t make me feel good but I thought it was the right thing to do. When adverse times befall you, you may be tempted to do the wrong thing, but never, never stray from your principles and what you know is right, and make sure you do the right thing!
Now remember, not everyone is made to be a leader. A leader is of no consequence if he does not have good followers. And the way to have good followers is to set the example all the time and make sure that you spend time with your lawyers, or as in my case in the Marine Corps, with my troops. There is much to be learned from the followers, and you should listen carefully to what they have to say. Oftentimes they do not speak from experience but only from the heart. What comes from the heart is often the right thing. You should be walking around periodically into each office of each lawyer, sit down, and talk with them. Invite them for a drink after work and learn from them the issues that are bothering them. Sometimes as leaders we can get so wrapped up in the world we live in, we forget the other worlds out there that mean so much to us as leaders and to your firm. In other words, take the time to learn from your troops, and when you can, incorporate it into your actions that you take, because the morale of the law firm is extremely important. Don’t be a morale killer, be a booster. If that means taking your troops out after work for a drink or taking them to a baseball game, do it. The followers in your firm (or as I sometimes call them “your troops”) need to get to know you also. They have to appreciate the stress and strain that you are under often, and that can only be accomplished by getting to know each other.

However, I want to make one thing very clear, I am not advocating that you acquiesce in every wish or dream of your lawyers that you lead. I am simply stating that you have to understand the concerns of the troops to be effective in your leadership capacity. Don’t ever lead by trying to get consensus, as Maggie Thatcher said one time when she was visiting Camp Pendleton, “Leadership by consensus is the abdication of leadership.” In the end, you have to do what you believe is right and fair for the firm. If that means taking less money, you do it. Adverse times must be shared by all, and make sure that you set the example.

It is extremely important that no matter how difficult or adverse the times become, you maintain your dignity and strive not to show that you are stressed out or overly concerned. Maintain the attitude that the bad times will pass and good times lie ahead, and set the example for everyone else in your attitude and in your performance in the firm.

However, make sure that you acknowledge to any individual member of your firm that you understand that this may be their first adverse time they are going through, and try to belay any fears they may have. There may also be occasions of adverse times for individual members, such as a family issue, and if you become aware of it and its affect upon the individual lawyer, take the time to talk with him or her and try to commiserate with them and let them know you are there to support them. Bottom line, adverse times call for leaders who set the example at all times and do not show fear or to be stressed out. Calm yourself, talk to yourself in the mirror in the bathroom, and reassure yourself that everything is okay. I find sometimes that just closing the door in the bathroom and talking to myself in the mirror and even yelling at myself in the mirror makes me start laughing. If you can laugh through the bad times, you’ll be a much more effective leader. The bad times pass and the good times lie ahead should always be your attitude, and that attitude needs to be passed on to your subordinates.

To lead, whether it is a position of leadership in the FDCC or your firm, is an honor. It means that other people recognize your potential, and they are relying upon you. This can be an awesome responsibility. When the adverse times come, and they will, tighten up your belt, square your shoulders, and rise to the occasion. Reassure your folks, never be petty or publicly placing blame. “We are in this together” should be your message, and by a good positive attitude and direction, let them know you will get out of the mess together.

Evaluate carefully, without bias, what caused the issue you are facing, seek advice and wise counsel from older practitioners on how they handled their bad times. Gather your board or executive committee and let them know your proposed plan of action. Seek their input and support. Once you have a plan of action finalized, let your people you lead know what you are going to do and how you propose to do it. Then push forward with your plan with energy and determination.
If someone is reluctant or opposed to the plan and does not support your efforts, get rid of them. No one likes a detractor, and by your action, you will show your strength as a leader to others. As I learned from a very wise drill instructor, “If you don’t want to lead and you don’t want to follow, then get the hell out of the way!” When the crisis or difficulty is over, give praise and thanks to your people and let them know it was a group effort. Do not take all the credit and let everyone know it was a team effort that achieved success.
Leadership Vision

Douglas G. Houser

“Never let anyone else carry your briefcase.” I got that advice from the senior trial attorney in my firm shortly after I was hired in 1960 by what is now Bullivant Houser Bailey.

In effect, “don’t ask someone else to do something you haven’t done or would be unwilling to do.” “Lead by example.” Be the first to unlock the office door in the morning and the last to lock up at the end of the work day. The biblical “Golden Rule” is applicable to law firm leadership: “Do unto others as you would have them do unto you.”

Leadership, like most desirable attributes, is a matter of common sense. We can’t all be “chiefs.” There have to be plenty of “Indians.” Otherwise, there would be no one to lead. People will respect and want to follow you and be a part of your “team” after you have earned their respect. Every leader must also be responsible for recognizing and training future leaders who will be prepared to someday replace their mentor.

Every good leader, whether a lawyer leading other lawyers or a business person, needs to have a clear “Vision” of short-term and long-term goals. Be sure that both the short-term and long-term goals are compatible.

Don’t ask others to do what you should do yourself. Lead by example. Good leaders “pull” – they seldom “PUSH.”

Bill Bowerman, the Olympic Track and Field coach and co-founder of athletic company NIKE, served most of his lifetime (he is now deceased) as the Track and Field coach at the University of Oregon. One spring, he was faced with a dilemma. One of his athletes was a high school high jumper who in college was unsuccessfully trying to play basketball, but was a lousy rebounder and was about to lose his scholarship. The basketball coach and the basketball player approached Bowerman and asked if he would share half a scholarship credit if the “failed” basketball player became a member of the track team. Bowerman needed “a quarter miler,” not a “high jumper.” It was plain to the athlete that if he wanted the other half of his scholarship, he would have to run rather than jump. The athlete said, “I don’t even know how to run the quarter mile.”

Bowerman, being the great leader he was, immediately told the athlete that the quarter mile was the easiest race of all to run. He took the young man down to the quarter mile track and said he would “teach” him to run the quarter mile. Bowerman patiently explained that when the starter, at the beginning of the race, fired his gun, the runner should start running as fast as he could, keep turning left, and when he got back to where he started, he would have completed his quarter mile race. Very simple. Simple advice is the best.

The athlete ran in quarter mile races all that spring and qualified for the Olympics and won the gold medal in the 400 meter race as the fastest man in the world in that event. He never lost a quarter mile race. For any track nuts that might be reading this, that athlete was Otis Davis. It helps to have a great coach who leads you to do the things you may not have recognized you could do well.

Good leaders’ “Vision” includes being a good listener and a good observer. Know your “team” or “troops” or whoever you have responsibility for leading. Do not ask someone to do something they are not prepared to do and are unlikely to succeed at. The goal is to train people to be successful, not to fail.

“Timing” is vitally important in every aspect of life. Do not ask people to do things they are not ready for yet. “Stretch,” but don’t “break” your team or you will find yourself without a team of followers.
Whether you are in a “small” firm or a “large” firm, the “Vision” of good leaders are probably remarkably the same.

In summary, some attributes of great leaders’ “Vision” include the following:

· Be a good listener.
· Be a good observer.
· Be patient.
· Be honest.
· Use common sense.
· Go first, when appropriate.
· Go last, when appropriate.
· Share the successes.
· Don’t find scapegoats for your failures.
· Don’t pass the buck.
· Don’t get greedy when the dollar pot is being divided.
· Always put more in the pot than you take out.
· Train and prepare your successor.
· Be fair – to your family – to your firm – to yourself.
· Respect minority views – they may become the majority view with or without your support.
· Clearly define expectations – “late is no better than never” – but what is “late”?
· Be humble. Mac Davis (a Country Western songwriter from Texas) explained in one of his songs: “It’s hard to be humble when you’re perfect in every way.”

Country Western songs could teach leaders a great deal. Some of my favorite country western song titles include:

· “You’re the Reason Our Baby’s Ugly” – accept responsibility for your part of every act – be accountable.
· Or, John Denver’s “Take Your Tongue Out of My Mouth, I’m Kissing You Goodbye” – be sure you listen carefully and understand what others are saying.
· Or, “Momma Get a Hammer, There’s a Fly on Poppa’s Head” – don’t over react, and think before you leap from the frying pan into the fire.
· There is an old Navy saying that I think every leader should be mindful of: “The ship (or “firm”) is more important than any member of the crew, even if that crew member is the captain.”
Lawyers are sometimes criticized for writing a 10,000 word document and calling it a “brief.” I am therefore ending this chapter with the hope that the great leaders of this great Federation may in some manner benefit from the thoughts presented in this chapter.
The Six Essential Qualities of the Leader Communicator

Michael T. Lucey

INTRODUCTION

When we consider our personal list of great leaders, we typically include those leaders who not only accomplished great things, but those who could also inspire with their words. For example, most would agree that Abraham Lincoln and Winston Churchill were not only great leaders, but great communicators. To many, Ronald Regan was a great leader, and he has since come to be known as “The Great Communicator.” This capacity to engage and motivate an entire nation with nothing more that the power of one’s personality is truly a gift reserved for the very few.

Brilliant oratory and timeless phrases – “ask not what your country can do for you…” have become the hallmark of the great leader/communicators. For most of us who aspire to be better leaders, the examples of Churchill and Lincoln as leader/communicators are somewhat daunting, because few of us could ever hope to have such a facility with words, or that uncanny ability to say just the right thing at the right time. But if we were to strip the great leader/communicators of their gift for prose and examine their other traits, we would see that there were aspects of their leadership and communications styles that were as essential to their greatness as their facility with the spoken word.

What follows is my list of the six essential qualities of the great leader/communicators. I give them in reverse order of importance.

6. THINK BEFORE YOU SPEAK

“Remember not only to say the right thing in the right place, but far more difficult still, to leave unsaid the wrong thing at the tempting moment.” Ben Franklin

This is also a very good rule in life. It is what your mom taught you. Consider the damage that some of our national leaders have done to their image by violating this simple rule. Words can be powerful. When they come from those in leadership, they are even more so.

Because of their power, even subtle shading of your word choices can make a huge difference in your message. It is the difference between a word’s denotation and connotation. The literal definition of a word as accepted in a dictionary is the denotation. But words also have a connotation, or implied meanings: associations or emotional suggestions that are connected to that word. The connotative meanings of a word exist along with its denotative meanings. For example, the denotations of the word snake might be “reptile,” or “scaly.” Connotations of the same word would include “treacherous,” “evil,” or “betrayal.” Consider both meanings carefully as you choose your words, with particular emphasis on a word’s connotative meaning.

Words have a much longer half-life now. With the advent of social media and electronic communications, virtually every public statement is preserved forever. Recent history is replete with public figures who have been confronted with statements from their past that are unflattering at best, and at times far worse. A leader no longer has the luxury of speaking “off the record”. Choose your words carefully, and appreciate that every social situation, however causal, presents the opportunity to amplify or denigrate your primary message as a leader.

Cultivate positive speaking: Experts often talk about the power of positive thought. It is equally true that choosing positive words in your communications will increase the likelihood that your message was not only received, but internalized. Strive to make your words positive, forward thinking and relevant.
Finally, ideas have a value. A leader’s ideas will not be judged by their frequency, but by their intrinsic merit. Don’t cheapen a powerful message by extraneous or off topic remarks. If you have something important to convey, think carefully about how to say it as succinctly and clearly as possible, and then say it just that way. We as lawyers are often taken with those who have excellent extemporaneous speaking skills. They seem to come up with the perfect turn of the phrase, seemingly off the top of their head. The truth is that the truly great speeches were rarely ad-libbed.

It has long been told that Abraham Lincoln wrote the Gettysburg address on the back of an envelope, as if he had a flash of casual brilliance on the ride over to the battlefield memorial, and simply jotted his thoughts down as they popped into his head. In fact, Lincoln had spent almost two weeks on the address, carefully revising and altering it to achieve just the right tone. Three days before leaving for Gettysburg, Lincoln told a reporter that the speech was “written but not finished.” There were actually two final drafts of the address: one in ink on White House stationery, and a second in pencil on plain blue paper. This was no spur of the moment speech. In stark contradiction, the main speaker that day, Edward Everett, spoke for over two hours before Lincoln gave his 272 word address. Everett later wrote Lincoln, “I wish that I could flatter myself that I had come as near to the central idea of the occasion in two hours as you did in two minutes.”

5. WHEN YOU COMMUNICATE, BE SPECIFIC

This is a corollary to number 6. Ideas, not people drive organizations forward. Often, the wisdom of the proffered path is not obvious or intuitive. In those instances, clarity and specificity are the key to persuasiveness. This need for clear and succinct communication to enhance the persuasiveness of the message is the same in jury trials. How many times have we honed a closing argument so that the message is succinct, clear and strong?

Without doubt, other factors affect whether a group will follow a leader’s message: Trust, history, believability, etc. But even with these factors, if a leader cannot clearly communicate what is intended, the message gets garbled, and the initiative is lost. Think of a plenary speaker at a modern CLE event. The speaker starts out with a snappy introduction but soon gets bogged down on minutiae or off topic asides. Very shortly thereafter, the laptops and phones come on in the audience, and the speaker ends the address by talking to the tops of the audience’s heads. In today’s fast paced society it has become more difficult to maintain an audience’s focus. Having a clear thesis, but failing staying on point or speaking in broad generalities is the surest way to losing it.

Keep the topic of your presentations limited to one or two central ideas. From 1933 to 1944, Franklin Roosevelt gave some 30 speeches via radio, now called “Fireside chats”, speaking on a variety of topics from banking to unemployment to fighting fascism in Europe. Usually only one issue was addressed in each chat. The first chat was on March 12, 1933 just eight days after Roosevelt’s inauguration. Roosevelt had spent his very first week in office dealing with a massive surge in bank closings, which threatened to destroy American’s faith in the banking system. Roosevelt had just closed the entire American banking system on March 6, six days before his first chat. Three days after that, Congress passed the Emergency Banking Act, which Roosevelt used to create Federal Deposit Insurance, which in turn was used to backstop depositors’ savings. Roosevelt needed to convince a skeptical America that the banking problems were soluble, and that he had the right solution. Predictably, this first fireside chat dealt only with the banking crisis and Roosevelt’s plan to solve it. The rest is history. The popularity of these chats grew to the point where millions of people tuned in to hear the President’s message. Incidentally, the term “fireside chat” came from a statement by Roosevelt’s press secretary, who had said that the president liked to think of the audience as a few people seated around his fireside.
4. ACTIONS SPEAK LOUDER THAN WORDS

What you do speaks so loud that I cannot hear what you say.
-Ralph Waldo Emerson

“Do as I say not as I do.” Did any child ever buy that? If your message is completely inconsistent with who you are and what you do, the message will be ignored, even ridiculed. This is perhaps another way of saying that you must lead from the heart: you must believe in the decisions you advocate. If you don’t, you shouldn’t be out front.

History has examples of the disingenuous leader who is nevertheless successful. But over time, and across all societies, the leader who lives the message has been far more impactful. Mohandas Gandhi’s idea that peaceful nonviolence was the best vehicle for change came at a time when the world had just emerged from a savage global conflict only to find itself embroiled in a second. The idea that massive social change could be accomplished simply by passive resistance was met with skepticism by average Indians and their British overlords alike. Gandhi knew that he had to live his message if it had any chance of success. He wore simple clothes, so that “looking at him, people would see the condition of India”. When he asked his countrymen to boycott the law that required that they buy salt only from the government, he marched 240 miles to the ocean to make salt himself. Gandhi and his followers participated in 18 fasts to protest British Rule. Not once did he ever raise his hand in violence. Gandhi’s messages of peaceful nonviolence lead to the collapse of the British Raj in India, and spawned similar movements in America and worldwide that continue today. It seems unlikely that this movement would have met with such success had the messenger not been the living embodiment of the message.

3. LEAD WITH A SERVANT’S HEART.

We have seen that the true leader believes in the message, and this belief empowers the message itself. But what is the underlying purpose of leadership? What motivates the very best leaders to lead?

The idea of the servant leader is as old as antiquity. In the Christian tradition it is referenced in Gospel of Mark (“whoever wants to become great among you must be your servant, and whoever wants to be first must be servant of all”) but it can also be found in the Tao Te Ching, (“The Sage is self-effacing and scanty of words. When his task is accomplished and things have been completed, all the people say, ‘We ourselves have achieved it!’”). This concept can be found as well in the ancient Indian treatise, the Arthashastra (“The king shall consider as good, not what pleases himself but what pleases his subjects”).

For the servant leader, the underlying motivation is the welfare of the followers, in contradiction to those who lead to satisfy some inner ambition, or to achieve some personal goals. This dichotomy was termed “servant-first” vs “leader first” by Robert Greenleaf, founder of the modern Servant Leader Movement at the beginning of the 20th century. This is not to say that a more autocratic leadership style cannot be successful, or that one should completely disregard self interest in pursuing leadership. However, in the context of effective communication, servant leadership, which emphasizes collaboration, trust, empathy, and the ethical use of power, is far more likely to engender effective communication and a positive response.

Chris Lowney was a Jesuit seminarian who left the seminary and found himself in a very successful career on Wall Street. His successes lead to authorship of several books and speaking engagement on leadership, business ethics and decision-making. In his book, Heroic Leadership, Lowney examines the Jesuit Order, and he identifies the four essential leadership traits (“Pillars of Success”) that made the Jesuits a successful organization for over 400 years. It is a wonderful book on leadership, and I am not going to give you all four of the Jesuit pillars of success - for that you have to read his book. But one of Lowney’s four pillars of success is one not usually found on most leadership lists: love. As Lowney describes it, the leader’s love for those that he/she serves is reflected back
by them in their eagerness to follow and achieve the goals. Some might find the use of the word “love” too strong, but Lowney is really saying what Greenleaf said, what Mark said in the Gospel, and what Lao-Tzu wrote in the Tao Te Ching five centuries before the birth of Christ: that the ideal leadership is a selfless approach that produces progress for the group as a whole.

2. LEADERSHIP COMMUNICATION IS A DIALOG

“Leaders who refuse to listen will eventually be surrounded by people who have nothing significant to say”

Andy Stanley

The traditional autocratic leader figures out what is right, and then persuades others to do it. In contrast, collaborative leaders know when to stop talking and start listening. During the financial crisis, Lehman’s CEO refused to accept advice from his team that Lehman was undercapitalized. He persistently rejected recommendations to seek added capital, believing that the federal government would ultimately bail Lehman out. When the crisis finally hit, Lehman had few options other than bankruptcy.

Listen with a willingness to be influenced. People will stop contributing if their ideas are never incorporated into an action plan. Simply “letting them talk” without any commitment to act upon helpful ideas is perhaps worse than refusing to listen at all. People know instinctively when they are being heard and when they are being patronized. Be an active listener: ask questions, react, and engage. Active listening not only improves your leadership skills, but it creates an environment in which the team becomes more self-reliant, motivated, and engaged in the task. People will do more when they perceive that they have a stake in the outcome.

Watch for nonverbal cues. Draw upon your voir dire experience. Just because someone is not saying anything does not mean that they are not communicating. We know that jurors say as much with their body language as they do with their verbal communications. Similarly, it is often the case that subordinates who are reluctant to verbalize disagreement will divulge their true feelings nonverbally.

Finally, acknowledge contributions and publicly thank people for their input. Few rewards are as productive as publicly recognizing a valuable contribution.

1. DEVELOP AND KEEP THE TRUST OF THOSE YOU LEAD

“To be persuasive, we must be believable; to be believable, we must be credible; to be credible, we must be truthful.”

Edward R. Murrow

Trust is the most important attribute of the great leader/communicator. You can have a singular vision, a strong message, good communication skills, and a passion for the cause, but if people don’t trust you, you will not successfully lead. This is not unlike a jury trial: the best witnesses and arguments are useless if the jury refuses to believe them. Similarly, each of the preceding five essential qualities of the great communicator/leader either exists to create trust or is meaningless without it.

Here is the hard part about trust: it cannot be conferred. No leader is trusted simply because of his/her title. It is earned through character: right living and right thinking. There are simply no shortcuts here. Character can’t be faked, forgotten, or forsaken, and one’s credibility depends upon it. As such, it is vital that leaders maintain a healthy self-awareness, to insure that they remain authentic, empathetic and honest. This is no easy task, but as is perhaps obvious, this vigilance has the added benefit of making you a better person.
Character alone is not sufficient to create and maintain trust. Leaders also must have the expertise to instill confidence that they can actually accomplish what they say must be done. For example, I trust my wife, but I would not trust her to take a game winning jump shot. The best leader/communicators are lifelong learners who never lose their passion for knowledge and self-improvement, and who have a commitment to excellence. They are usually not the best at what they do, but it is clear to everyone who knows them that they strive to be so.

So, this duality of character and competence must exist for any great leader to effectively communicate. Effective communication is a two way street, such that the benefits of the loyalty (dare I say love) of those you lead enriches you well beyond merely accomplishing goals.

SUMMARY

Communication styles are as unique as the leaders who possess them. There are, however, basic communication truths that many successful leaders adhere to in order to best move their ideas forward. These six qualities are some of those basic truths. While these qualities are straightforward in concept, they can be difficult in practice absent a real commitment to think of leadership as a vocation and not simply a task. The great leaders thought deeply about their role as leaders and how they could best communicate their ideas.
Leading Change

Tom Cordell

Change is all around us. Change is constant. Change is inevitable. The only certainty about change is change itself. But like a river, change can occur imperceptibly, with each flow of each different molecule of water. Then, what seems to be imperceptible change, over time, results in a modification of the river course. Change can also occur as a sudden, unannounced catastrophe earthquake for which no one is prepared. Regardless of the type or nature of change, it is occurring around us every day; whether it be in our offices, in our law practice, in our clients’ businesses, or our personal lives.

Although change surrounds us, we ourselves are often resistant to change. This resistance is evident in the age-old comments: “If it isn’t broken, why fix it?”, “This is the way we have always done it”, “We have been successful for years operating under this model”. And, we only contemplate change when forced to do so – billing code requirements, billing audit procedures; loss of staff, associates, partners; technological changes impacting our offices, practices and personal lives.

Our response to forced change is many times reactionary, not well planned, complacent, and marked with a “go with the flow” attitude. Leading change in the 21st Century business and life environment requires more, in order to survive and thrive.

We are pushed to improve the quality and timeliness of our services; to increase productivity; to reduce costs; yet, to also increase profits and find new opportunities. We have to adapt to these shifting conditions. To do so, we must recognize that transforming an organization is required – yet, we simply have not studied or obtained the skills to meet transformational challenges.

Leading change requires a conjoining of leadership and management. Leadership defines what the future shall look like (vision); and engages, encourages, and inspires people to alter their thoughts toward that vision. Management must staff, organize, and create structures to bring the vision to life. Management likes order, structure, certainty, planning, and organizing. Such elements are required to accomplish the vision; and managing the changes necessary. But successfully managing is not the equivalent of leading the change. Many transformational processes have difficulty getting started because management of current processes is engrained; procedures are set; planning is in place; organizational structures are established. At times, management is the antithesis of change. The changes that are needed require leadership to move beyond the current status quo.

Transformation requires dedication, creativity, and sacrifice. This transformative process may begin as the mantra of just one voice, or a small group of voices. But, to affect real and lasting change, this mantra must become the hymn of others impacted by the change. This team commitment to innovate, create, and sacrifice, however, cannot be coerced. It must be embraced. This requires leadership. Only leadership can motivate people to move beyond a comfortable and historically effective culture into a universe of visions, experimentation, and innovations where breakthroughs are accomplished and obstacles overcome. Only leadership can inspire a new generation who remain in the rubble of an organization-exodus to rise from the ashes, like the mythical Phoenix, and create a stronger, more resilient entity. Plans do not motivate. Charts and graphs do not inspire. Martin Luther King’s great motivational speech did not begin, “I have a plan”. He inspired people to embrace transformation by his statement, “I have a dream”. Leaders have dreams that inspire people to innovate and create the means to accomplish change. The Japanese use the term “kaizen” – a never-ending quest to do better; continually change and improve.

However, even the most inspirational, transformational leaders understand that the need for change is not accepted overnight. One author describes the process of moving from change avoidance to change acceptance as
requiring five steps – denial; anger; bargaining; depression; and acceptance. (Conner, D. (1993) *Managing at the Speed of Change*. You will note that he based his model on *Death and Dying* by Elisabeth Kübler-Ross).

Even once accepted, change occurs through stages. Kurt Lewin (Field Theory in Social Science (1951)) theorized that transformation occurs in three stages:

1. **Unfreezing.** Old ideals, practices and processes are discarded, so that new ones can be learned and implemented. Yet, doing away with the old is just as difficult as learning the new, due to the power of habit, and the trait of complacency.

2. **Changing.** Ideals resulting from the creative and innovative process are accepted. But, accepting is not “doing”. These new ideals must be practiced.

   What I hear, I forget.
   What I see, I remember.
   What I do, I understand.
   -Kung Fu Tzu

   There will be confusion and overload; but, also excitement and discovery; as new ideals are practiced. But, to not implement and practice these new ideals through the proper procedures, will cause the transformative process to come to a halt.

3. **Refreezing.** The new ideals, through processes, are now accepted and practiced.

   This area of implementing the ideals is where managers shine. They establish the processes that implement the new direction; direct the implementation; set up measurements of goal accomplishment. Managers are not the same as leaders, but they are indispensable in the transformative process. Warren Bennis observed, “Managers are people who do things right, while leaders are people who do the right thing”. (*One Becoming a Leader*).

   Other authors and “change experts” have developed other theories on the process of change. Most notable is John P. Kotter. In *Leading Change*, he analyzes the need for change; the manner in which the type of change is identified, and the implementation of change so that it is effective and lasting. He sets forth an eight stage process: (1) Establishing a sense of urgency; (2) Creating a guiding coalition; (3) Developing a vision and strategy; (4) Communicating the change vision; (5) Empowering employees for action; (6) Generating short-term wins; (7) Consolidating gains and producing more change; (8) Anchoring new approaches in the culture.

   Kotter and others recognize that change fails at the outset because of complacency. As discussed earlier, “happy talk” within the organization (“If it’s not broke, don’t fix it” or “We have always done it that way”) is indicative of complacency. If complacency is high, transformation fails because the need for change is not urgent. If a major and visible crisis arises (departure of key members of the organization; a substantial threat that clients may change firms; a constant drop in income), a sense of urgency to change is imposed upon the organization. Normally, in these types of catastrophic earthquake crises, there is insufficient time to develop a new vision; communicate the vision; and implement the transformation. And, many times the signs of an impending crisis are well-visible, but ignored. Good leaders realize that visible crises should not be ignored; that renewal is constant; that change is part of life; and, if that change is not implemented as a part of the operational life of an organization, crises will germinate and grow into major crises. Initiating forward-looking dreams and visions when a firm is making record profits, enjoying client growth, and/or receiving achievement accolades, is the trait of a good leader. Yet, these “champions of change” also understand that a sense of urgency must be recognized, or even created, in order to effect change. Complacency is a strong opponent to change. Change leaders cannot go it alone. They must have people to lead; and, people must accept that change is necessary before they will accept the leader’s dream. Change is simply not viewed as required when there is no sense of urgency to transform.
Further, leaders of change do not just enumerate their vision and dream. They allow it to be a catalyst for dream expansion. The leader's dream is only a narrow, enchanted, uncharted path through the wilderness. These champions of change allow others to assist in building the path of change; in developing the dream; in expanding the vision's reach. Change leaders share the authority, control, and power of transformation with a core group who understand and see the path of change. The transformation team must carry the enthusiasm of change, clear the path to transformation, and engage others in the task. Some authors call this people-centered leadership.

Are you a change leader? Historically, leadership is reserved for the charismatic, creative, innovative, and inspiring. Leadership skills are thought of as a gift at birth, granted to a few people. The “older model” of leadership is “nearly oblivious to the power and potential of lifelong learning” (Kotter, Leading Change). There are people who instead of slowing down and peaking, kept learning at a rate normally associated with children and young adults. Terms such as dynamic, charismatic, visionary, had never been used to describe them. Yet, as they age, they have become organizational leaders. This is the development of “remarkable leaders” who acquired their skills through “lifelong learning” (Kotter). The relationship between lifelong learning and leadership was demonstrated in a twenty-year study of 115 students from the Harvard Business School, Class of 1974. Kotter saw two elements emerge from this study: competitive drive and lifelong learning. Competitive drive helped create lifelong learning – increasing skill and knowledge levels, especially leadership skills. Lifelong learners possess certain habits born of a desire to leap into the future – taking efforts to grow and embrace change. They are driven by a sense that what they are doing is right for members, their families, and their organization. These habits of lifelong learners are: Risk taking (a willingness to move out of comfort zones); Humble self-reflection (an honest assessment of successes and failures); Solicitation of opinions (collecting information and ideas from others); Careful listening to others; Openness to new ideas (a willingness to view life with an open mind) (see Kotter). These characteristics are reminiscent of Geoffrey Chaucer’s description of the scholar in his work Canterbury Tales (1342-1400): “Gladly would he learn, and gladly teach”. Lifelong learners actively and carefully listen, and solicit opinions and ideas. They do not assure that they know it all or that others have little to contribute. This pushes them to try new ideas, take risks, embrace change.

Change is inevitable. Leading change is a choice. The techniques necessary to implement transformation are available to be understood, and acted upon. Be a leader of change.
It is a grand mistake to think of being great without goodness; and I pronounce it as certain that there was never yet a truly great man that was not at the same time truly virtuous.
-Benjamin Franklin

Ethics have been defined as a system of moral principles. Ethics are the rules of conduct recognized by a specific class of human actions amongst a particular group or culture. As defined, leading and ethics are two sides of the same coin. To use Forrest Gump's analysis, ethics and leading go together like peas and carrots.

Alexis de Tocqueville, the author of Democracy in America, came to the United States as a French diplomat from his native France in 1831 to examine this infant democracy and provide social commentary. Upon spending many months examining the American system of governance and leaders, he remarked:

I sought for the greatness and genius of America in her commodious harbors and her ample rivers – and it was not there . . . in her fertile fields and boundless forests – and it was not there . . . in her rich minds and her vast world commerce – and it was not there . . . in her democratic Congress and her matchless Constitution – and it was not there. Not until I went into the churches of America and heard her pulpits flame with righteousness did I understand the secret of her genius and power. America is great because she is good, and if America ever ceases to be good, America will cease to be great.

I believe that putting this template on leadership means that leadership and ethics are inextricably linked. Great leaders rose to prominence not because of their sheer will, determination or hard work, but because people could find something within a leader that would inspire them to be greater than they were. Leaders possess the perfect mixture of strength of moral character, commitment to cause, inspirational oratory, and vision for a better future. Without an ethical overlay, however, their words ring hollow.

As I am writing this, I am witnessing, with great sadness, the 2016 U.S. Presidential race. It appears to me that we are deciding on a leader for our great country based on the standard of the “lesser of two evils”. It is a sad state of affairs that voters are being asked to pick a leader who does not possess the moral framework that ethical behavior requires. Ethics and politics have seemed to decouple in this election cycle. Moral and ethical behavior is not the standard by which we judge these candidates. What a particular aspirant for office can “do for me” appears to be the unfortunate litmus test. Leaders are not judged by ethical principles – because, it seems, they lack such qualities. But that has not been so throughout our history. Two of America’s greatest presidents, George Washington and Abraham Lincoln, are viewed as pillars of ethical behavior, and are perhaps the two greatest leaders to ever inhabit the office of President of the United States.

Abraham Lincoln is my personal guiding star for ethical leadership. As a country circuit lawyer and later as president, he lived his life unabashedly by an internal, personal code of ethics. Foremost among these credos was the “golden rule”. He often was quoted as saying that he treated all others in a way that he wanted to be treated. By living his life this way, people naturally gravitated to him and wanted to follow where he led. Lincoln believed that if everyone led their lives by just the first two Commandments, there would be no need for “ethical” leaders. Perhaps that is why he was given the nickname of Honest Abe. He described the importance of honesty by telling all who would listen that a good name is to be coveted more than riches. I think that this was a lesson he learned from Solomon – perhaps the wisest person ever to have lived1. “Lincoln’s greatness must be sought for in the constit-

1 Lincoln's personal code of ethics and his view of business ethics, based on an excerpt from the one-man play “Lincoln Live” by Gene Griessman. www.50
“Guiding tenants of honesty and treating others as you would want to be treated became his moral nature. They influenced Lincoln’s heart in a way that caused him to free the slaves and set the country on a path to equality for all. It took a great deal of moral courage to urge the abolishment of slavery in the face of a divided country that promised to be torn apart if his plans succeeded. “Abraham Lincoln is the greatest of all interpreters of America’s moral meaning,” wrote Lincoln scholar William Lee Miller.

Lincoln was a particularly worthy interpreter of America’s moral meaning, in the first place, because he stated it with a rare eloquence. Secondly, he was the primary voice giving the American idea received from the founders its necessary reinterpretation and fresh critical application because he dramatized the centrality of equality — specifically racial quality — as part of the nation’s essence. And in doing those things, he was able, to an unusual degree, to avoid the bane, scourge, curse, and disease that threaten all human statements of moral claims and national ideals — self-righteousness, invidiousness, moral pride and condescension².

He paid a hefty price for his ethical leadership – the intolerable strains of a Civil War and death at the hands of an assassin.

The first President of the United States, by selection, became the standard by which all future leaders of this country would be judged. Washington, however, was not a politician. He would have been happiest on his farm, leading a quiet life of working the soil. During his life as a “gentleman farmer,” he memorized 110 rules of comportment and conduct that he devoted his life to follow³. By memorizing these rules, Washington forced his mind to focus on each rule and principle. He lived his life with civility and respect for others. Malcolm Gladwell in his book “Blink” talks about how being forced to think about doing the right thing in any situation (a/k/a doing the right thing when no one is looking) increases a person’s respect for others. Aristotle put it this way: Prudence is a “pattern or habit that should become ingrained” in the character, which prepares the morally virtuous person to make sound judgments. Washington by memorization of his 110 rules became a moral leader who made decisions by applying ethical judgments. By leading his life in this way, people were drawn to him. Although neither a polished writer nor spellbinding speaker, the “genius” of George Washington was his character – a character founded in ethical behavior and principled living. Washington was a reluctant leader. Nevertheless leadership was a mantle he accepted. “His character helped sustain his troops throughout the travails of the Revolutionary War, convince delegates to the Constitutional Convention to assign significant powers to the presidency, secure the ratification of the Constitution, and enable the new republic to survive in a hostile world.”⁴ He was the person to whom this new democracy looked as it began the process of forming the American character that de Tocqueville would come to admire some 55 years later. By his strength of character, he gave this new nation an identity forged in his character mold. Following his presidency this honorable man (yet humble farmer) wrote to his trusted confidant Alexander Hamilton, “I hope I shall always possess firmness and virtue enough to maintain (what I consider the most enviable of all titles) the character of an honest man.” This, I believe, should be the desire of any person – the ultimate statement of the crowning achievement of their lives.

Martin Luther King, Jr. and Mahatma Gandhi provide two additional examples of ethical leadership, with a slightly different point of view. They possessed the essential characteristics of an ethical leader: dignity, respectfulness, servanthood, justice, community building, and honesty. These traits are the hallmarks of effective and ethical leaders.⁵ I would add to these traits a large helping of humility and forgiveness. King and Gandhi inspired their nations through a leadership style that embraced these elements. Despite violent reactions to their quest

³ In 2003, Richard Brookhiser published a book about Washington’s rules and how they formed his character and influenced his career. George Washington on Leadership
⁴ The Character of George Washington, Gary Smith march 10, 2010. The Center for Vision & Values, Grove City College
⁵ Leadership Ethics – Traits of an Ethical Leader Management Study Guide

achievementdigest.com
for equality and freedom, they led with a respect (if not love) for their tormentors - all the while not losing sight of the justice they sought for those denied that precious right. King and Gandhi built a community of followers without sacrificing honesty and fair dealing. Gandhi, a lawyer, first employed nonviolent civil disobedience as an expatriate barrister in South Africa, fighting for the resident Indian community’s struggle for civil rights. He spent 21 years there, developing his political views, ethics and political leadership skills. This is where Gandhi was first faced with the discrimination directed at all “coloured” people (as they were classified). King drew great inspiration from Gandhi and adopted his non-violent and ethical response to discrimination. He embraced Gandhi’s “truth-force” concept of leadership. King said this of his mentor: “Gandhi was probably the first person in history to lift the love ethic of Jesus above mere interaction between individuals to a powerful and effective social force on a large scale”.

Like Gandhi, Nelson Mandela was a lawyer who represented people who faced discrimination based on the color of their skin. Mandela, through his non-violent legal counsel, ended up in prison for his political views and later became the first President of a free and undivided South Africa. As his country’s leader, he was able to heal the wounds that apartheid had indelibly etched upon his country through a series of “Truth and Reconciliation” hearings held following his election. The goal of these hearings was to restore the divisions in South Africa by giving dignity to the victims of apartheid and uniting the country as a nation of many colors. Mandela lived the principles of an ethical leader by the example of his life. When he was released from the prison that held him captive for 27 years, he said, “As I walked out the door toward my freedom, I knew that if I did not leave all the anger, hatred and bitterness behind that I would still be in prison.” Those words became foundational to his leadership style. Mandela lived a life that gave forgiveness in exchange for imprisonment. He said that forgiveness “liberated the soul” and became a “very powerful weapon”. Forgiveness a “weapon”? This is a telling turn of a phrase. By exhibiting a leadership style forged by forgiveness he also liberated his country in a way that the abolishment of apartheid only began. This powerful weapon of forgiveness (instead of bitterness or retaliation) was used to fuse ethics and leadership together. It was a weapon he used to defeat the prejudice and hatred that gripped his country for so many years. A weapon he used to put his country on the path to true freedom. As Mark Twain once said, “Forgiveness is the fragrance the violet sheds on the heel that has crushed it.”

Ethical leadership, therefore, is woven together by five powerful principles which form the foundation of truly motivational and inspirational leader. These five pillars are (1) respect for others, (2) service to others, (3) justice and forgiveness, (4) manifest honesty, and (5) building a community that embraces an ethical leadership model. These guiding tenets hold both the leader and the organization accountable for the ethical DNA that must be tapped into for every decision. In order for a leader to motivate and inspire others, he or she must communicate this ethical model throughout all levels of the organization. Once communicated and understood, it becomes an integral part of every aspect of the organization. It forms the framework by which all decisions are made. These decisions can concern the direction of the organization, the actions of the prospective members who are asked to join the organization, and the structure of the organization, including its bylaws and rules. Ethical leadership must be anchored at the very core of everything.

In order for an ethical leadership philosophy to emanate from the people who are chosen to lead, it must permeate throughout the organizational structure. It must exist through the committee structure and into the membership at large. It must be taught, coached and reinforced. Without such communication and integration, an organization becomes lost. It is, therefore, the job of a leader to inculcate into the community ethical values as discussed above.

The ethical leader (Washington, Lincoln, King, Gandhi, Mandela) becomes a charismatic presence that binds the country, organization or group together. This presence then allows and encourages ethical conduct to spring forth in every aspect of the organization. And it all starts with living a life of moral principles and ethical behavior that, by example and deed, compels others to follow and the organization to adopt and engrain into its

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6 The Autobiography of Martin Luther King, Jr.
No ceremony that to great ones 'longs,
Not the king's crown, nor the deputed sword,
The marshal's truncheon, nor the judge's robe,
Become them with one half as good a grace
As mercy does.

- William Shakespeare, Measure for Measure
Musings On Law Firm Leadership

Jean M. Lawler

Law firms are interesting and unique institutions. Large or small, they are generally a reflection of the values of the founding equity partners, enhanced or modified by the passage of time and introduction of others into the ownership of the firm. While law firm leadership can share common traits with leadership seen in commercial ventures, because law is a profession and we lawyers like to think that we have answered a “higher calling”, leadership in the law firm takes on a number of characteristics not typically found in the commercial enterprise.

Who are the leaders in law firms? Look around. They are at all levels and in all areas of the firm, management, staff and legal professionals. Look at the firm’s lawyers for the moment, very competently doing their work and providing excellent client service. They could not do so if they were not leaders. Whether it is coming up with a new legal theory to present to a court, a litigation strategy, ideas to advance the business of the firm, welcoming new employees to the firm, delegating work to others, bringing in new clients, making suggestions to change the manner in which certain internal firm processes are handled, or even in building their own personal career plans -- all of these and more are things that show leadership. Building the firm and the profession in general, if you will - leaders do that.

As an equity partner and certainly as a managing partner, the demands of the firm become the demands of the “business”, with all that entails. Ideally the core values of the firm are in place and there is a solid foundation on which to grow because status quo and mediocrity are not the bedrock upon which a law firm can survive. There is oftentimes a distinction made between management and leadership. In the context of the law firm, all good managing partners will have the ability to do both and it is impossible to fully separate one from the other, they can be so intertwined.

Because the managing partner is the number one firm leader, he or she is the face of the firm to the outside world and is called upon to do the many things that only someone in that role can do. He or she is expected to have leadership characteristics that fall under the umbrella of words totally inadequate to express what they really entail, words such as: inspire, challenge, vision, integrity, character, personality, honesty, likeability, dedication, selflessness, concern for employees and clients, confidence, trust, respect, quality, client service, exemplary – and on and on.

Effective law firm leaders are those who can move from the thought and visionary process to the reality process, i.e. they step up and take action. They don’t sit back and wait for others to step up. The action can be big or small, but they act. They inspire people to accomplish more than they might have thought they could, or to have bigger ideas than they might have otherwise dreamed, or to make dreams and ideas become reality. They engender at least the respect, if not the actual trust, of the people they are leading. They think of the firm first, before their own needs – and consciously or unconsciously ask themselves what they can do to make that group or organization better. And, again, they take action.

Every partner is a firm leader, but most especially the equity partners. Each equity partner needs to have a full understanding of the business of the firm and should be able to step up and lead the firm, firm-wide, if necessary. That means active involvement with the goals and business of the firm - asking questions and not just accepting without thought what is presented, making informed decisions and then supporting the managing partner in his/her implementation of those decisions. In turn, the managing partner needs to show his/her fellow equity partners the respect of transparency and making sure that the direction of the firm is clear and has the support of the majority of the partners. Doing so ensures a cohesive team with focus on a common goal – which can be only accomplished through the leadership of all equity partners.
“Checking one’s ego at the door”, as they say, may be one of the biggest personal challenges for law firm leaders, but if they can do it, they will be well served. If all is good with the firm, then all falls in place for the law firm leaders – the health and success of the firm is a reflection of their leadership and says it for them.

At its core, it has been said that the job of the firm’s managing partner is to make sure that the equity partners get paid. A simple statement but one that speaks volumes because the equity partners only get paid if “all is right” with the firm. If the many tangibles and intangibles of the firm are working together and/or are being addressed when running a bit sluggishly, then “all is right” with the firm and the equity partners are getting paid. When there are internal or external challenges that could upset the equilibrium, then leadership demands that action be taken to get the firm back on all fours – so that the partners are getting paid.

Being a managing partner is a lonely job. Ultimately, the future of the firm and the well-being of all employees and their families is riding on your shoulders and the decisions you make or do not make. Business owners may talk about their experience in having to “meet a payroll”. A law firm is no different. Unless one has been a managing partner, I do not think that the personal impact of this responsibility can be fully understood. But if you have been a managing partner, you will understand.

That said, below are thoughts and advice which law firm leaders might consider when leading the firm and its future leaders into the future:

1. **Carpe Diem.** Seize each and every day and whatever it brings. Never tell yourself “no” to trying something merely because you think it might fail – your idea might actually work!

2. **Take Action as appropriate.** Don’t let inaction or someone else control your destiny or that of the firm. Make conscious decisions, even if the decision is to do nothing.

3. **Create opportunities.** Don’t just seize them.

4. **Think Big.** Stretch yourself. Don’t get comfortable. Mediocrity is not OK.

5. **Be Humble.** Think of yourself as a servant of the firm because that is exactly what you are – serving the firm for not just today but for the generations to come. Know that while you are not indispensable, you are where you are, at this time and place, for a reason.

6. **Respect Others.** We are all different but we each bring something of value to the table for the benefit of the firm – or we would not be there – from the cleaning crew to the old retired senior partner.

7. **Have Faith.** Believe in yourself and your ability to carry through - even on the days that are really tough and when you wake up in the middle of a dark night. Look for positive support and assistance in those around you. Understand that some people just by nature have negative personalities but don’t get bogged down by those persons or in those negativities – do not internalize their negativity as it can consume you. Trust yourself. If you are a spiritual or religious person, pray for strength and wisdom in your daily interactions, for help to recognize and do the right thing, no matter how hard.

8. **Remember that it is not all about you and that your success is never because of only your efforts.** We all stand on the shoulders of those who came before us, our families and people in our lives. Remember where you came from.

9. **Take time for yourself.** You need to take care of yourself because nobody else will. Manage the stress and keep yourself healthy.

10. **Remember what is important in your life and don’t let time with those you love get lost in the shuffle.**
You will be of no good to your firm if your personal life is not in good order. Those who truly love you and those whom you love are at home, generally not at the office. Let those you love and those who love you help keep you focused on what is important in life, which in turn helps keep things in perspective at the office as a law firm leader.

11. *Enjoy the Role.* Your impact as managing partner can be much greater than that of actions taken in any other role. Remember there is no time like the present – and make it count! Once you are no longer managing partner, your title will include the word “former” and your opinions will be just that, opinions!

Being a law firm leader is an incredible honor. At the end of the day, if you step up to take on that responsibility, know that you are not alone and embrace the unique opportunity that you have to make a difference for the future of the firm, its partners and employees - and all of those who come long after your tenure has come to a close. Carpe Diem.
Mentoring Leader

Francisco Ramos, Jr.

One of the greatest values is the ability to see ahead what others cannot see and to help them navigate a course to their destination.

- John C. Maxwell

If you want your law firm to thrive, you need to teach your lawyers, all of them, how to be leaders. Not just leaders in the firm and in the cases they’re handling, but in voluntary bar associations and non-profits. By becoming leaders, they will better serve the firm’s clients and the organizations to which they belong. Clients are naturally attracted to leaders. Organizations seek out leaders to help them fulfill their mission. Teaching your attorneys how to become leaders may be the most important skill you pass on.

Reduce your style to writing.

Before you can teach others how to lead, you need to be able to articulate your style of leadership. Sit down at your computer and summarize your style, approach and behavior of leadership. Take some time to reflect on how you got here. What things did you do, what did you read, what organizations did you get involved with and who did you look up to and try to emulate? You need this information if you want to articulate to your protégée how to become a leader. The first question you may be asked is “How did you become a leader?” Take the time to think this through before transforming a mentor to a future leader.

Choose a protégée.

Every young lawyer at your firm should have a leadership mentor. The question is “Who is right for whom?” Compatibility is important. Do you share the same passions, goals and interests? Do you have similar personalities and backgrounds? Try to match firm leaders with young lawyers who have something in common. If someone is a morning person, who wants to meet over breakfast and get together for runs, don’t match them with a person who is a night owl and who has little interest in personal fitness. You’re looking to foster relationships that will grow and flourish, through which your young lawyers will love to learn how to become a leader and implement their new skills sets.

Create some guidelines.

Sit down with your protégée and decide on guidelines for this mentoring relationship. What do you expect from her? What does she expect from you? How often will you meet? When? Where? What topics will your address? What are the goals, both short and long term? If you don’t go into this with a plan, with a fixed schedule and goals to accomplish, the relationship will end up without a purpose or direction. And you want to know what expectations and needs your protégée has. What does she want out of the relationship and what does she hope to accomplish with your help?

Devise a schedule.

Agree on a schedule to meet and discuss leadership issues. It could be a weekly 10 minute in-office meeting with “assignments” or “homework,” such as choosing an organization to get involved with in a leadership capacity or reading an article on leadership you hand selected. Regular meetings create accountability on the part of the protégée to work on leadership skills and regular face to face time is necessary to build any relationship, especially a mentorship.
Encourage your protégée to read books on leadership. Recommend books you’ve read on the topic and then discuss them with her. Or perhaps pick books neither of you have read and experience them together. What was the theme of the book? What were the takeaways? What did you learn about leadership? What can you apply? What don’t you agree with? Why? What can we apply in our firm, company or organization? What translates well for our needs? What doesn’t? Assign a book, set a deadline by which to finish it and schedule a coffee or lunch to discuss it.

My favorite author on leadership is John Maxwell. The first book I read by him was *The 21 Irrefutable Rules of Leadership*. Once I read it, I was hooked. I had to read all his books, including the *360 Degree Leader, The 21 Indispensable Qualities of a Leader, Developing the Leaders Around You, Talent Is Never Enough* and *How Successful People Lead*. John Maxwell, who started as a pastor of a small church in Ohio, knew that to make an impact he needed to be a strong leader and dedicated the rest of his life to learning what makes a strong, effective, charismatic leader and teaching others to become leaders in their companies, non-profits, firms and houses of worship. In 2014, *Inc Magazine* named him the #1 leadership expert in the world. Now, having written so much on leadership, some of his more recent books draw from principles from earlier publications, so instead of buying the library of John Maxwell books, browse through the summaries on Amazon and pick your top 5 books. You and your protégée should order them and set up a timetable to discuss and read them. If you end up reading only one author of leadership, read Maxwell. Other great writers on leadership include Dale Carnegie, Stephen Covey, Simon Sinek and Andy Stanley.

Reading books on leadership should be a staple for anyone who is or wants to become a leader. Google authors and books on leadership and see what comes up. What book summaries resonate with you? What authors seem to be talking to you and your organization? Order those books and share your favorites with your protégée and make them part of your regular discussions. Perhaps enter a friendly contest to see who reads the most leadership books in a year, with the winner buying the loser a memorable token he or she can display in the office.

Also, from time to time, these writers may visit your town and speak on leadership. Consider taking your protégée to listen and watch them.

Meet once a month with your protégée for lunch and discuss leadership issues. What skill set is she working on? What has she learned since your last lunch? What needs improvement? What leadership positions does she have? How is she doing in those positions? Who is she leading? How? Through what style? What’s working? What isn’t? In addition to leadership issues, talk about whatever is on your protégée’s mind, whether work related or social. By getting to know one another better, by understanding what makes each of you tick, what motivates you, what your passions are, you help one another grow as leaders. Often you’ll learn as much or more from your protégée by teaching her your brand of leadership.

Expose your protégée to other leaders and other leadership styles. Get her involved in organizations where she’ll interact with leaders of those organizations and see firsthand how they lead them. Encourage her to break bread with other leaders - ask them to lunch and learn about their leadership philosophies and approaches. A former associate of ours was elected to be president of a local voluntary bar association. Before assuming the role, he invited to lunch the past several presidents who held the same position to learn about what they did –what worked and what didn’t, and what leadership styles were most effective for that organization. Also, getting back to reading, recommend biographies and autobiographies of leaders. It’s one thing to have one discuss leadership, it’s another
to see how it played out in someone's life.

**Seek opportunities.**

Direct your protégée's passion and skills to an organization where she can exercise the leadership skills she is learning in order to develop them first hand. Start with a smaller, local organization, where there is less competition for leadership opportunities and encourage her to get involved, jump in with both feet and seek out opportunities to lead the organization. When I first sought out leadership opportunities, I first started with local organizations in my city, then went on to state-wide organizations and from there graduated to national organizations. Each step along the way, I built on what I had learned to grow my leadership skills and sphere of influence.

**Model.**

Expose your protégée to times you are leading, whether at your firm or in an organization. Show her how you do it and discuss with her why you did what you did or handled a situation a certain way. Teaching by doing is a great way to show someone first-hand how to lead an organization. If you’re on the board of an organization, have your protégée sit in. If you’re leading a conference call on a project have her listen in. And then discuss why you did what you did and field any questions she may have.

**Tinker.**

Regularly evaluate what is working is the mentoring relationship and what isn’t. Are you meeting too often? Not enough? Are you focusing your time on developing leadership skills or do conversations often meander to unrelated topics? Are you seeing progress in your protégée? Is she seeing progress? Regularly assess the relationship and see what adjustments need to be made to improve the relationship and improve the protégée’s skill set.

**Pass the baton.**

Part of the reason you’re training a future leaders is for her to assume some of your duties and responsibilities and one day lead your firm after you’re gone. Organizations have to live on after you leave, but they can only do so if they are left in trusted hands. As the mentoring relationship progresses, pass some of your responsibilities onto your protégée, assess her handling of them, and as she masters them, pass along additional responsibilities. Eventually, she will be able to handle firm leadership as well as you do.

Teaching others to lead takes time, energy and focus. Identify your strengths as a leader, teach that skill set, identify your weaknesses, work on those, and then teach that skill set. You grow as your protégée grows, and you develop your own leadership skills as you pass them on. Any mentoring relationship is a two way street, with the mentor learning as much or more from the relationship as the protégée herself.
Much has been written about what qualities make a great leader in business. Whether leading a law firm, a corporate law department or other division of a company, the same principles apply. Good leaders excel at building relationships based on trust and accountability. Lawyers are uniquely equipped to make these connections by both training and natural disposition. In large part, success in the legal field depends on two simple things: good judgment and people skills. Good judgment means good results for clients, whether it involves case strategy or negotiating a favorable settlement. With strong communication skills and being a generally likeable person, clients are willing to spend time with you and listen to what you have to say. A track record of favorable results and satisfied clients, means more referrals and more business. In the legal world, success breeds more success.

The same is true in the corporate realm. Leading within a company starts with building relationships from the top down. All of those qualities which bred success as a practicing attorney likewise attract internal clients and/or create connections with peers. With relationships comes the ability to influence and lead. The formula for creating these relationships is comprised of the following: emotional intelligence, strategic partnership, and accountability.

THE LAWYER AND EMOTION INTELLIGENCE

In law school, some said that “A” students became judges, “B” students became professors and “C” students became trial lawyers. While it's not so easy to place people neatly into these buckets, there is some truth to the notion that earning straight A’s does not guarantee success as a litigator, or in business. There is a component of our intellect, the concept of emotional intelligence, which is not necessarily tied to academic success. The author, Daniel Goleman, popularized this notion with his 1995 book, Emotional Intelligence. He has since built on this theme with subsequent books and articles. Goleman characterizes emotional intelligence or “EI” as a “fundamental ingredient of outstanding leadership, as well as an agent in a fulfilling life.”

In The Brain and Emotional Intelligence: New Insights, Goleman recounts the story of a lawyer who has surgery to remove a brain tumor. Following the surgery, while the lawyer's neurological abilities did not appear impaired, his judgment was lacking. He couldn't decide how he felt about something as simple as when to schedule his next doctor's appointment. Goleman notes, “. . . [When] we don't know what to feel about our thoughts, . . . we can't make good decisions.”

As noted above, having good judgment, is a key to leadership. Hence, when taking on a leadership role at a company, possessing emotional intelligence is equally, or more important than having a high IQ. Lawyers, especially litigators, need emotional intelligence to determine how to approach a witness on cross-examination, what theme will appeal to a jury at trial, or which arguments will be most compelling to a specific judge. These skills utilized in a courtroom can also serve a lawyer well in the board room and beyond.

THE LAWYER AS STRATEGIC BUSINESS PARTNER

The biggest difference when moving in-house or taking on a business role is understanding the relevant industry and the company’s strategy for success. This education process requires the attorney to not only form
relationships within the company, but also network outside. Taking an interest in the business is critical for an attorney to be viewed as a strategic partner, and not simply a road-block to success.

Legal and regulatory compliance are obviously key to the in-house counsel role. Even those lawyers who transition to other positions within an organization are not divested of their legal knowledge or instincts. Again, it is just these qualities which have led to their success. The question becomes how can the lawyer balance her interest in compliance with the need to drive the business toward profit and growth? The answer is simply to fall back on those qualities which made the lawyer good at her job in the first place, namely, know the facts and think strategically.

The facts in this instance don’t mean who ran the stop sign, but involve an understanding of the industry at large, the niche customer(s) and the corporate culture. Lawyers are generally studious people who enjoy learning about new things. The hallmarks of any leader is to continually grow. “Successful leaders are learners. And the learning process is ongoing, a result of self-discipline and perseverance. The goal each day must be to get a little better, to build on the previous day’s progress.” (Maxwell, 2007, p. 58.)

Reading books, blogs and periodicals to stay abreast of industry trends is only part of the lawyer-leader’s toolkit. In order to earn the seat at the table, the in-house counsel needs to align her interests with that of the business. In communicating with company executives, counsel should demonstrate her knowledge of the company’s corporate vision. If a new market is being considered, the in-house lawyer should be prepared to discuss the legal and regulatory challenges which may be faced. More importantly, however, the lawyer must offer solutions for overcoming or mitigating such risks. Offering alternatives and thinking strategically means that the lawyer is not just reacting, but being proactive. At this point, the in-house counsel truly becomes the trusted business advisor contributing to the enterprise’s success, not just viewed as necessary overhead.

THE LAWYER AS AN ACCOUNTABLE LEADER

Merriam-Webster Dictionary defines accountability as “the quality or state of being accountable; especially: an obligation or willingness to accept responsibility or to account for one’s actions.” People generally don’t want to follow someone who doesn’t take responsibility for her words or actions. Lawyers understand the concept of accountability better than most. They take an oath to uphold the law and adhere to a code of professional responsibility. Each time they sign a pleading or address the Court, they are attesting to the accuracy of every word printed or spoken. They are responsible for the work of all those who report to them, such as secretaries and paralegals. If a complaint is not filed on time because a secretary failed to mail it, it is the lawyer’s license on the line. In other words, “the buck stops” with the lawyer.

This perspective of accountability makes a lawyer a natural leader. Leaders don’t look for others to blame when mistakes happen. They take ownership even when such failures are not completely of their own doing. They look for ways to improve and prevent the same problems in the future. An accountable leader provides a role model for the organization.

In-house lawyers and other legal leaders in a company must lead by example. Others in the organization generally look to lawyers to be the standard-bearer for ethics and equity. Lawyers should embrace this role as they can be instrumental in creating a culture of accountability within the organization.

When taking on new roles in business, a lawyer’s communication skill can assist in setting clear expectations for her team. Part of this process includes an explanation of why meeting the goals will further the business. As Di Worrall explained in Accountability Leadership: How Great Leaders Build a High Performance Culture of Accountability and Responsibility, “The more leaders try to inspire their followers through communicating with...” 

heart as well as by establishing clear, actionable goals, the more people will want to step up to accountability because they align with core values that truly matter.” (Worrall, 2013) In other words, engaged employees understand how their work furthers the company’s strategic objectives.

What happens when objectives are not met? Accountability in an organization means more than determining who takes the blame for losses. It also encompasses who is rewarded for the successes. Lawyers understand the importance of strong support staff, and the same holds true in business. A good leader recognizes the contributions of her team. Such recognition furthers employee engagement and promotes continued high performance.

CONCLUSION

As legal counsel, a lawyer focuses on achieving favorable results. Businesses likewise are looking to improve sales, grow in market share, and drive up the value of the company. Lawyers contribute to their organization by utilizing the same skills which drive success in the legal field. Naturally persuasive and possessing a high emotional intelligence, lawyers can exercise positive influence. This influence can be leveraged as a strategic business partner to help further the company’s long-term goals. Finally, as an accountable leader, the lawyer can create a culture where others feel motivated and inspired to contribute more of themselves.
Leadership In Public Service

David M. Louie

What counts in life is not the mere fact that we have lived. It is what difference we have made to the lives of others that will determine the significance of the life we lead.

-Nelson Mandela

Leadership. On May 25, 1961, President John F. Kennedy announced the dramatic goal of sending an American safely to the Moon before the end of the decade. President Kennedy’s pronouncement fired the imagination of the nation, galvanizing resources, talent and know-how to get the job done. Eight years later, on July 20, 1969, Commander Neil Armstrong stepped off the Apollo 11 Lunar Module’s ladder and onto the Moon’s surface. But this was not just the fulfillment of a goal. Instead it was leadership of the finest order that gave rise to an achievement which captured the attention of every man, woman and child on earth, and still inspires all of us today. It gave rise to an ethos and culture of scientific advancement and innovation that changed the world and made life better for many people.

Leadership is the single most important factor for the world and our communities. As the global village continues to become more and more interdependent and closer together, the leaders that our communities, states and nations have, whether good or bad, will determine what kind of a future we will have, whether we will solve critical problems, and whether our communities will succeed or fail. There is an old Arab proverb that says “An army of sheep led by a lion would defeat an army of lions led by a sheep.” The caliber of leaders in our institutions will affect whether we can adapt to change, make progress, and achieve positive outcomes. There is evidence of success and failure all around us, many times affected by the quality of the leaders involved – the world economy, whether war or peace breaks out, the environment, human rights and dignity – all are dependent upon the leadership that addresses these issues.

Leadership provides direction, meaning and purpose to groups, organizations and communities. Leaders provide critical analysis and executive decision making to accomplish goals and solve problems. They are anchors in a world of uncertainty and indecision, and provide integrity, focus and responsibility for groups of people. Leadership provides a basis for collective action, which is infinitely more powerful than individual actions, no matter how well planned.

Leadership in Public Service. In discussing leadership in public service, I mean to discuss leadership in government, as opposed to leadership in the private business sector, or in the non-profit sector. While there are many similarities and qualities of leadership that transcend sectors, the worlds of private business and non-profits are very different from the world of government. As described below, there are unique factors which affect leadership in public service.

Leadership in public service encompasses many different potential roles and aspects, at all levels of government. Public service has many different facets and ways in which people contribute. There are political leaders and elected officials. There are officials appointed by elected officials. There are legislative, executive and judicial officers, all of whom may get to such positions by a variety of routes. There are career civil servants and staff who provide support for elected and appointed officials. There are staff who are represented by government unions.

Leadership in public service is not just at the highest levels of elected officials. There are many institutions in government, some with well-defined mandates and others with vaguely defined charges. All have a role to play and a need for leadership within the organization. The quality of the leadership within each individual institution will determine how well the government functions as a whole, whether goals can be accomplished, whether tasks can be performed, and whether the business of government can be conducted.

My Perspective. From 2011 to 2014, I had the privilege and honor of serving four years as the Attorney
General of the State of Hawaii. While I previously held some leadership roles in private practice and public institutions, this was much larger, but also the most gratifying and satisfying thing I have ever done.

Up to that point, I had been a civil trial lawyer in Honolulu for 33 years. I had been a partner at a large law firm, founded and managed a small law firm, tried numerous cases before juries, served as the President of the Hawaii State Bar Association, the Chair of the State of Hawaii Aloha Tower Development Corporation, and on various federal and state judicial committees, published articles, taught continuing legal education courses and participated in many different organizations. In December 2010, Governor Neil Abercrombie appointed me to be the Attorney General of Hawaii. While this was an unlooked for opportunity, I took the job to try to make a difference and contribute to the community.

This was a journey that was both exhilarating and terrifying. Suddenly I had to counsel, advise and represent the Governor, the Legislature and numerous state departments. I had to be proficient in many areas of law. I became the chief executive for the largest law firm in the state, with 185 deputies, 750 employees and a $70 million annual budget. It was a crucible and I had to learn a lot and fast. Fortunately, all of my experience came in handy.

Becoming the Attorney General of Hawaii allowed me to do many exciting and special things. I got to carry a badge, because I was the chief law enforcement officer for the state in all criminal and civil matters. While the badge had no practical usage, it was emblematic of the fact that I represented all of the people of Hawaii, all of the time. Where before I represented the narrow interests of my specific clients, I now had 1.3 million clients, from the Governor to the homeless guy on the street, and I had to think about what was best for all of them. The badge reminded me that the job was to protect and serve.

I had the unparalleled opportunity of coming in at the highest levels of state government, and having a seat at the table on issues of importance to Hawaii and its people, as well as issues of national importance. I worked closely with the Governor, other Cabinet members and the Legislature on many complex issues such as homelessness, health care, native Hawaiian rights and sovereignty, environmental issues and same sex marriage. I also got to work with other state attorneys general across the nation on critical common issues such as the national mortgage foreclosure crisis, gun control, drug enforcement, and states’ rights. William Jefferson Clinton, the 44th President of the United States, served as Attorney General of Arkansas before becoming Governor and then President. He is reported to have said that being the Attorney General was the best job he ever had, because he could do what he thought was right, and if people got mad, he could just blame it on the Constitution.

In 2014, Governor Abercrombie lost his bid for re-election, having made some tough and ultimately unpopular decisions to deal with the financial crises that had beset both Hawaii and the nation during his term. In 2015, I returned to the private practice of law, grateful for the experience of serving.

Unique Factors Affecting Leadership In Public Service. Leadership in public service is different from leadership in the private sector. While there are many similarities and common themes about leadership in all sectors, government institutions in the United States are markedly different from private business institutions in terms of motivations, politics, processes, constituencies, special interests and being affected by the media. All of these factors can greatly affect leadership.

First, the motivations are different. While the primary purpose of most private business organizations is to make money, the purpose of government is to provide for the greatest good for the greatest number of people, to promote justice, to maintain public order, to regulate interests, and to promote the general welfare. Most large businesses today are driven by the dictates of the market and their stock prices, which place a premium on short term metrics like quarterly earnings and profits. Business leaders must justify their decision making through the lens of profitability. Public sector leaders are evaluated on a much more ambiguous scale – whether they are “doing the right thing” or representing their constituents on a host of issues for which they may have responsibility. Although governments must pay attention to money and balanced budgets, the functions undertaken by government are varied and complex, so that making money is not the main factor. Instead, policy issues, political
initiatives, regulations and social problems that affect the public and different constituencies are important factors that leaders must understand and navigate.

Second, politics and election cycles are overriding factors that confront public sector leaders. Government institutions are ultimately subject to politics and democracy, a process that requires the consent of the governed in regular elections. Most business institutions are governed by owners, either directly or through corporate elections and boards of directors, but they are not subject to the same type of political processes that affect government. Political leaders, in both the legislative and executive branches, as well as career civil servants, all must recognize the effect of politics on policy issues and potential decision making. In the corporate business world, the number of constituencies involved in business initiatives is usually more limited than in government matters. Knowing, understanding and being able to work with all of the different political constituencies that may be interested in and affected by various issues is critical to providing leadership and achieving goals.

For example, many new political leaders seek to make a mark and announce their agenda in their first 100 days. This is done to project an aura of accomplishment, but it is also a recognition that the cycle of elections makes prompt action absolutely necessary. Trying to enact lasting policy changes in government is often constrained by the slow process of government decision making, the need to obtain support and consensus from many actors, and the cycle of elections and politics. Sometimes, important but controversial policy issues cannot be pushed forward when there are upcoming elections, because politicians are concerned as to how such issues might affect their re-election races.

Third, the processes of public sector decision making in the executive, legislative and regulatory environments are very different from private sector processes. Many people who are not familiar with government think that government processes are a black box, which cannot be deciphered without knowing the secret handshake. Actually, government processes are usually governed by statutes, rules, tradition and inertia. While such processes are different from business processes, they still have their own internal logic and gatekeepers. Timing can often be everything. Because the process of legislation or administrative regulation is complicated, policy initiatives can be derailed by adversaries who know and take advantage of the rules. Knowing what the processes are and how they function is critical to being able to understand how to provide leadership in government.

Fourth, special interests are often involved in issues. I often thought of the process of government as being like sumo wrestling, where mostly naked interests were pushing and shoving each other around a ring with a lot of money at stake. Government is supposed to be concerned with the public interest, rather than private interests. Special interests are not necessarily bad if they also serve the public interest. Thus, special interests will try to show that their interests align with the public interest. Public sector leaders must be clear eyed about the effects of special interests and money, and how the public interest may be affected.

Special interests bring money to the table for political actors. Jesse Unruh said “Money is the mother’s milk of politics.” Bill Bradley said “Trying to take money out of politics is like trying to take jumping out of basketball.” The reality is that it can cost millions of dollars to run even a modest political campaign in our modern world. Where the money comes from and how it affects decisions is an important issue that leaders in government must be prepared to deal with.

Fifth, leadership in public service is greatly affected by the media. The media takes a keen interest in political issues and the functioning of government. Transparency and open government initiatives over the years have resulted in a free flow of information which can influence decision making by government institutions and leaders. Media coverage as to particular issues can bring attention to both public and private initiatives which may have hoped to fly below the radar and get a result before opposition could be organized by adverse interests or constituencies. Media coverage can also influence public perception for or against various issues. Sometimes, because of the limitations of the reporters or the available space or time to cover an issue, complex issues can be reduced to slogans and simplistic formulations, which may hamper reasoned decision making.
All of the above factors can affect and constrain leaders in public service who wish to exercise authority to accomplish goals. In his recent book, *The End of Power*, Moises Naim writes that “in the 21st century, power is easier to get, harder to use – and easier to lose.” Naim describes how governments are increasingly restricted from the exercise of power through traditional leaders and institutions, as recent developments in the flow of information, social media and protests have made political and corporate leadership vulnerable to challenges from smaller, more nimble adversaries. Naim argues the provocative contradiction that societies are becoming both increasingly constrained and more anarchic, since smaller actors now have the power to veto but not dictate, i.e., destroy but not create, thus creating gridlock, anarchy, or both. Naim’s thesis is a cautionary warning to those who want to exercise leadership and achieve goals in the public sector.

**Key Factors for Leadership in Public Service.** There are many different facets to leadership, and many different ways to be an effective leader. I believe that the most important factors are character, understanding the role of leadership, people skills, communication skills and executive decision making. The most effective leaders I have seen and worked with had these traits. While there are some natural born leaders who have phenomenal skills, many leaders have worked at and been successful in acquiring these skills and traits. These are general leadership qualities and factors that are not confined to public service. They have widespread applicability to leadership in the private business sector and the non-profit sector.

**Character.** An effective leader must have personal skills and qualities that will engender respect, trust and cooperation from those who will follow. Above all, a leader must have a strong moral compass – a sense of right and wrong, integrity, ethics and character. Abraham Lincoln once said “Nearly all men can stand adversity, but if you want to test a man’s character, give him power.” A person who does not have strong character may occupy a position of leadership, but will eventually be disrespected and not followed. A person of weak character will inevitably make decisions that others regard as immoral or lacking in ethics. Just because a person occupies a position of leadership, does not make them a leader, or an effective leader.

Trust is a critical factor, because without trust people will not follow. A leader who hopes to accomplish goals or real and meaningful change must rely upon other people in the organization to support and advance those goals. In order for people to engage and work on behalf of policy initiatives in government, they must feel that the leader is someone to be trusted and that the policy goals will be “doing the right thing.” The personal qualities of discipline, perseverance, commitment and authenticity go hand in hand with character and trust.

Success and failure for leaders is sometimes less about rationality or intelligence, and more about emotion, authenticity, empathy and commitment. One of the lessons I learned from my experience in government was that people do things for their reasons, not yours. While people may be able to articulate their reasons, often they act on their “gut” emotional feelings. If a leader is trustworthy, authentic and can emotionally resonate with people, then others are more likely to follow and carry out the leader’s directives in the face of opposition and adversaries.

Character is not something that can be learned overnight in a seminar. Instead, it is a lifelong process that can be developed and fostered by being honest and self-aware, understanding the moral implications of actions, having respect for the dignity of other people and being willing, if not compelled, to always do the “right thing.”

**Understanding the Leadership Role.** It is critically important for a leader to understand his or her role in relation to the group or organization. General Omar Bradley said “The greatness of a leader is measured by the achievements of the led. This is the ultimate test of his effectiveness.” The role of the leader is to get the team, the organization, the community to achieve a goal, not to achieve personal glory for the leader. It is the difference between being a mountain climber and a mountain climbing guide. The mountain climber is focused on her own individual achievement in reaching the summit of the mountain. The mountain guide, on the other hand, is focused on having the entire team reach the summit together. An effective leader will give credit where credit is due, and emphasize the achievements of the group, as opposed to his individual achievements. The role of the leader is to work for those who work for him. Leaders must be cheerleaders, persuaders, influencers, manipulators, and realistic assessors. Their role is not to do it all, but to get the team, the organization, to succeed in achieving the vision.
Understanding the role of the leader means understanding both strategic and tactical leadership. Strategic leadership provides vision, direction, meaning and purpose. Strategic leadership helps to decide what change is needed, how much and how fast. Strategic leadership requires introspection, reflection and hard thought. Strategic leadership is all about the big picture, the 30,000 foot view. It is shooting for the stars and landing on the moon. It doesn't always have to be earth shattering, or profound. It can simply be a big picture idea or advance for the team, organization or institution. It is all about assessing where the community is and whether and what to change, improve or make better.

Examples of strategic leadership abound. Take Nelson Mandela. He provided the vision and strategic thinking to overturn untold years and generations of apartheid in South Africa, and to provide for reconciliation and a peaceful transition to the sharing of power in his nation. Although he was unjustly imprisoned for many years, simply for his beliefs and thoughts, he remained focused on how to transform society, to be more just, more equal and more fair.

Tactical leadership is the second but no less important aspect of leadership that a leader must understand and embrace. A leader does not necessarily have to engage in all facets of tactical leadership, but she must understand it and have people who can carry it out. Tactical leadership provides for management and execution of the vision – how to achieve the goals. Tactical leadership helps to decide a plan and the concrete steps needed to actualize the goals – getting from Point A to Point B, communicating to and convincing others, marshaling and deploying resources, timing and execution, constantly assessing progress and small wins, and constantly determining next steps.

Tactical leadership is often described and derided as “management” or “administration,” but it is a critical element of actually getting goals accomplished. The D-Day invasion of Europe during World War II could not have been accomplished without all of the management and administration necessary to move immense numbers of men, machines, armor and ammunition to the front line for a coordinated assault. Those who climb Everest must make meticulous plans for every last contingency, and then tackle the mountain, one step at a time. Tactical leadership can occur in any group, large or small. It is all about planning, and breaking down the goal into manageable steps that can be executed and accomplished.

I had the privilege of visiting the U.S.S. Nimitz, one of our nation's nuclear powered aircraft carriers, during RIMPAC, the Rim of the Pacific Exercise, which is the world's largest international maritime warfare exercise, led by the U.S. Pacific Fleet. This was an amazing experience that gave me a glimpse of the power and organization of the United States Navy. The ship had a crew of about 5,000 young men and women whose average age was 22. But through superb organization, and breaking down complex tasks into manageable, bite-sized pieces, the Navy was able to have the ship and its young crew operating as a state-of-the-art, well-oiled machine that projected and protected American interests and power throughout the world. Similarly, a tactical leader must figure out how to accomplish complex goals by analyzing what factors are key and conducting step by step planning in order to realize such goals.

People Skills. An effective leader needs superb people skills, otherwise known as emotional intelligence. A leader must understand the human condition and have both empathy and sympathy, so that he or she can understand the motivations of others. A leader has to be able to dispassionately assess the strengths and weaknesses of others, and treat them all with respect, dignity and fairness. A leader has to be able to give praise and recognition, but also to hold people accountable and give constructive criticism.

Success and failure in leading other people is often less about rationality or intelligence, and more about emotion, authenticity, empathy and commitment. People act, and follow, based on emotion – they feel things from the heart. They act on their gut feel. If it doesn't feel right, no amount of rationality will convince someone. They have to feel right first, and then rationality supplies a logical reason to act. Understanding people and their motivations is the key. The leader asks the question: How can you get people to be excited, passionate and committed to foster and implement change? The leader has to understand how people think and function in order to meet
the needs of the team, so the team will achieve the vision of the leader.

**Communication Skills.** An effective leader needs to have great communication skills. She must have the ability to express herself clearly, both verbally and in writing. She must have the ability to listen to others and to understand their concerns, fears, anxieties and motivations. She must be able to put herself in the other person's shoes and position. She must be able to communicate her vision, with passion and excitement. And she must be practiced in the ability to persuade, to help others understand why her vision is in the public interest or in the best interests of the listener. She has to help others find both the feelings and the reasons why they should help her as the leader, and implement the vision of the leader. She must have superb negotiation skills – the ability to understand the positions and interests of others in order to find shared interests and values that can lead to common solutions. Since people will do things for their reasons, not for hers, a leader must understand both her own reasons and the reasons of others for acting and implementing a vision to lead to accomplishment.

**Executive Decision Making.** An effective leader must have executive decision making skills. Not all persons who are thrust into leadership positions are able to make decisions. The ability to make a decision based on incomplete information is a critical skill and separates good leaders from ineffective leaders. Some people in positions of leadership are afraid of making mistakes, of offending public opinion or of being wrong. They want to lead from behind, with a poll, a survey, or endless analysis of the pros and cons of the situation to tell them what to do. Unfortunately, the world does not wait for such people and this is not leadership. There will never be complete information available to make the perfect decision in a timely fashion.

So a leader must understand the situation and make the best decision possible with the information at hand, understanding that he could be wrong and will have to adjust. The speed at which a leader can grasp the situation and make a decision is critical, whether that decision is good, bad or ugly. A leader must have the analytical and evaluation skills to avoid the paralysis of analysis, and be able to pull the trigger at the proper time, despite incomplete information and the fog of war. Not making a decision is making a decision.

One of my favorite sayings comes from the mystery writer Dick Francis, in his book, *The Edge* – “Thought before action, if there's time.” This aphorism perfectly sums up executive decision making, because timing is everything. A “correct” decision implemented at the wrong time will still be wrong and may lead to disaster or simply be ineffective. A “poor” decision implemented at the right time may allow for adjustment and correction as the situation unfolds.

When I served as Attorney General, many issues would come up quickly and require a response. My first consideration was always, how much time do we have? Determining the time frame for decision making is key, because it allows you to perform analysis and marshal resources, but also identifies the fact that other people may act or events may unfold quickly that render your decision making moot or irrelevant. My second consideration would be to seek to determine the best factual information we could get in the time available. The third consideration would be to identify the key parameters and significant considerations for decision making, and identify and weight or prioritize the values (especially core values) involved in the issue. We would then convene a meeting to get the best minds and thinking into the room to discuss different alternatives and the pros and cons for various courses of action. At some point, I or someone else on the staff would simply have to make the best decision that we could and recommend a course of action for the Governor, a legislator, or another department or agency.

Executive decision making is the one key element that distinguishes effective and great leaders from ineffective ones. A leader must be comfortable enough in their own skin and own intellect to make a decision and then live with the consequences. As he said, “The buck stops here.” By that he meant that he was the one who had to make the hard and difficult call, he could not pass it along to someone else. There is a story about Abraham Lincoln, who famously appointed a Cabinet full of rivals and people who often disagreed with him, so he could get the best thinking, the most diverse viewpoints, all possible analyses and considerations for good decision making. In one apocryphal story, after a vote had been taken of his Cabinet, he is reported to have said, “Seven nays and one aye; the ayes have it.” The ability to listen to advice, to weigh the consequences and then to make a decision is
an absolutely necessary quality of an effective leader.

A Call to Action. If you want to be a leader, and a good one, whether you are in the public sector or the private sector, there is no time like the present to begin the preparation you will need to succeed. You may already be a leader and want to improve your skills. You may be unskilled but have a desire to make a contribution and make a difference. Wherever you are, whatever stage of your career you are in, you can benefit from planning and then trying to execute your plan.

Start at the beginning. First, sit down and make a strategic plan to set forth your own goals. What do you want to be? What is your vision for your own career as a leader? What are the issues and interests that you are passionate about? What are the skills that you have? What are the skills that you need to develop? Second, make a tactical plan with concrete steps that are small enough that they can be executed and acted upon that will lead you to your goals. Break down your goals and decide what five or ten action items you could engage in to help to realize those goals. Third, take action! Begin to execute your plan and hold yourself accountable for following through with the action plan you have devised. Put a timetable on your plan and try and perform within the time you have given yourself. Fourth, periodically review your plan, your action items and how it is going. Adjust and change your plan if things are not working out as you want.

Remember, your journey as a leader, whether in public service or the private sector is a marathon, not a sprint. To be an effective leader takes time, effort, perseverance and opportunity, so keep your perspective.
Empower Versus Inspire . . . Kind Of Like The Difference Between Mentor Versus Promote

Marisa Trasatti

In the course of finding my way in private practice, I watched many a Ted Talk™, e.g., Simon Sinek’s “Start with Why;” read many an article and book (from the One Minute Manager, to The Nightingale’s Song, to Dale Carnegie’s How to Win Friends and Influence People, and Jack Welch’s Winning); and observed many alpha leaders within the firm, within my many professional associations, and in academia. What became clear was that “empowerment” and “inspiration” are strong words that real leaders embrace and live.

In preparing this chapter, I looked for quotes that best summarized my penchant to lead inspired teams. I think this one sums it up best: “Give a man a fish and he eats for a day, but teach a man to fish and he eats for a lifetime.”

I also looked at the definitions of empower versus inspire. By definition “empower” means:

empower
VERB
[WITH OBJECT]

1 Give (someone) the authority or power to do something.
‘members are empowered to audit the accounts of limited companies’

1.1 [with object] Make (someone) stronger and more confident, especially in controlling their life and claiming their rights.
‘movements to empower the poor’


It’s a great word, but the word implies that, “I have the power, and you do not.” This is why I strive to inspire, as opposed to empower, my teams. I start from the premise that we are all on the same team and rowing the boat in the same direction, I just need to find the approach that turns the key in each one of my teammates to unleash their best potential. Sometimes, that is achieved by creating something as simple as a litigation plan, and letting each team member assign himself or herself the task from the litigation plan that he or she believes plays to his or her strength…the old toolbox selection game. Some of the teammates will gravitate to motions writing; some will gravitate to the deposition and field work; others will take on research and investigation. By letting each team member pick his or her task(s), he or she has confidence in himself/herself which generates a sense of inspiration. Leadership of my team begins with my assessing everyone’s strong suits and playing on those skills. That provides the building block(s) to inspire more and more excellence. Having worked in sales during college, I recognize that everyone is wired differently, so I have to morph to my audience in order to motivate them and “make the sale,” if you will. That’s part of the challenge of leadership, but also becomes a reward when you see your teammates achieve.

The word “inspire” means in pertinent part:

inspire
VERB
[WITH OBJECT]

1 Fill (someone) with the urge or ability to do or feel something, especially to do something creative.
‘his philosophy inspired a later generation of environmentalists’
I seek to inspire in everything I do. It’s a way of life. It’s ingrained in who I am. It is me. Applied to my team, and generally speaking, I inspire by trying to instill the same love of the law that I have, the same loyalty and protection of the client that I have, and the same tithing responsibility that I have in terms of bettering the profession. I urge legal assistants, paralegals, law clerks, and associates to think outside the box, and to understand that we all must lift while we rise, a quote that I first heard from a United States District Court of Maryland Judge who was presiding over a swearing in ceremony for new admittees. I was attending as a sponsor for my then-teammate. I never forgot that great statement. By managing down, everyone feels a piece of inspiration and hopefully, feels integral to the final work product.

That’s the “why” we should inspire as opposed to empower…now let’s talk about how one can inspire? Every moment is a teachable moment. Everyone’s approach is different. But below is a top ten list of ways that I inspire my team (at least, I think, this is a recipe of sorts):

1. **Live Inspired:** We inspire by living an inspired life ourselves which comes from inside the firm through professional achievement, but also may be derived from family and friends. Maybe it comes from spending time with your spouse, your children, your godchild, your friends, or just from knowing you are caught up with your work and your clients are pleased. While I lead by example and never ask my team to do any more than I give, there is at least one (1) key realization here: Not everyone will love the law as much as I do and in our multi-generational law firms, this can be challenging as everyone has different priorities. If you accept people for who they are, limitations as well as their excellence, you maximize their contribution regardless of their billable hour commitment. By breeding loyalty, you retain the keepers. It can’t be just about the billable hour, if you expect to retain your team and inspire them. I try to set an example for my team by showing them that I do not rest on my laurels, but am continually striving to achieve more and more for myself personally and professionally.

2. **Inspire by leading:** Inspiration comes from doing what you love and loving what you do. As a leader, you must exhibit that daily and be prepared for the distraction from those who live in professional F-E-A-R. We all know them… F-E-A-R, false evidence appearing real, attempts to block the light of inspiration in the dark room. The penultimate compliment anyone ever gave me was that calling me the light in the dark room and it came from the most quiet, reserved, bystander in the firm. But, I never forgot it. I strive to make my team that light. Because you are inspired and confident, you will rise above the less inspired, and the team will blossom together. It is natural to be attracted to, and want to spend time around, inspired people, i.e., people who are passionate about their work, creative, engaged, and fully present. An inspired leader exudes energy and is a force. By surrounding yourself with people who are genuine, and who love what they do, you will be energized and inspired. Steer clear of the uninspired, as they will only slow your roll.

Think about the feeling you get after returning from a DRI or FDCC event. I once attended a leader-
ship conference that FDCC sponsored and numerous DRI Women’s Seminars where top flight consultants spoke to us about professionalism, leadership, and skills building, including Marianne Trost, Samantha Holmes, etc. When I am with like-minded people, I am better and I bring that learning back to my team. In those environments, it’s not about stratification or delivering power to the unempowered. Instead, it is about a mutually beneficial exchange of ideas from equals, who love what they do, and genuinely want to be better lawyers, leaders, and create a better profession.

3. **Executing an Inspiration Plan Requires T-I-M-E (Things-I-Must-Earn):** Building an inspired team takes time. You are building relationships which are earned. Just as Rome was not built in a day, neither was an inspired team. It takes energy and patience—and lots of it. There will be many trials and tribulations along the way, where your manager skills, advocacy skills, and knowledge of the human condition will come in handy, sometimes all at once. If you know, however, that your team has tried hard to deliver, and given you their best work product at that time, inspiring them to forge ahead is easier. And, by all means, remember to say, “Thank you.” Something as simple as those two words, can inspire your team.

I will not say inspiration is easy, because it’s not, but with a sufficient amount of caffeine, cardio, and love of what you do, you can inspire. The more you see your team succeed, the more inspired you will feel, and the cycle will continue. Inspiration is contagious. Do not let-up on the high standards you set for yourself. Your team members will see how much one can achieve and may gain inspiration to follow your lead.

4. **Create inspiration that lasts a lifetime:** Empower is to inspire what mentoring is to promoting. I mentor, sure. But, I really promote. I empower, but I really strive to inspire. I want my associates to succeed and be independent. I want them to build a book of business, and rack up the defense verdicts, and favorable settlements, because that is satisfaction to me and inspires them to do more, achieve higher, and continue to excel throughout their career. No one was a better promoter in this regard than my current partner. He knows how to provide just enough guidance on client development without overmanaging.

Your teammates cannot develop their skills if leaders hover and prevent them from spreading their wings. You have to have confidence in your team, trust in their loyalty, and instill in them a drive to succeed and meet or exceed your standards. With that, you are a promoter, not just a mentor, and you inspire, not just empower. You have to open doors to them, but let them walk through the door. That creates accountability and when they achieve, they own that success and want more. My mantra in life is, “If you are looking for a helping hand, look at your own.” I try to nurture my team by giving them the confidence to try and test the waters. I do not spoon feed – that would be doing a disservice to my team’s potential growth.

5. **The ability to inspire can be learned and perfected:** Are inspirers born or are they groomed? Both! We are products of our environment, and I am the fortunate by product of several alpha male leaders who taught me how to lead, how to argue and write persuasively and practically, how to build a book of business, how to handle difficult personalities inside and outside of the firm, and how to make positive change for the greatest good. By way of anecdote, I began my career the same day that the partners in the firm (where I was beginning my first associate position) split up and started their own separate offices. I had law clerked for them through law school and picking which partner I would follow seemed like the hardest decision I would ever make. Thus began my journey of learning how to inspire myself and ultimately others. This event shaped my career path and exposed me to one of my best teachers who taught me a much needed lesson in loyalty, leadership, and resilience. This particular promoter had lots of interesting quips, but told me point blank, “Your head may go under water, but I will never let you drown.” He taught me tenacity in the face of intemperate judges and the value of a team environment in a profession filled with diverse personality types and mindsets. [Incidentally and by way of a sidenote, I also telemarketed]
in college and earned the nickname, “The Hammer” for good reason. I learned to fourth, fifth, and sixth effort potential customers until they agreed to try out the credit card or magazine subscription that I was hawking that day. Those real life experiences helped me to instill in my team a “can do” mentality.

My first mentor also taught me that the best writing is rewriting, and my approach to grooming associate writing mirrors his approach with me. It was through his tutelage that I became a stronger writer and better advocate, as the red ink dwindled on my draft motions. He instilled in me the requirement of producing exceptional work products and never to settle for mediocrity. He taught me to share the credit and when we co-wrote articles and/or motions, he always promoted me and the work product to other partners and staff. That’s such an important lesson to learn if you want to inspire.

With respect to client development, my latest promoter shaped my approach with my team in this regard. Again, he opened every door possible, and then stepped aside to let me learn and develop those skills. He was never protective of his client base, and as a result we built a book of business together over time, that was premised on trust and mutual respect. Inspirers trust their team and respect their decisions…eventually.

6. **The Skill of Inspiration Begins at Home:** Obviously, as one of four (4) children (I am number three in the line-up and the youngest of the daughters), I was never going to be too big for my britches. And that is still true. So, I don’t want to leave out how inspiration was first learned at home for me. As the daughter of an immigrant Dad and a stay-at-home Mom, it was pretty amazing what Dante and Rosemarie accomplished with their four (4) children—two (2) of whom are in the legal profession, one (1) of whom is a doctor, and one (1) of whom is in sales. My Dad is a clothing designer, and definitely demanded the most out his children, and especially his daughters. My Mom managed the home front, and raised responsible, inspired, well-rounded children. There were no boundaries, limits, or stereotypes acceptable in the Trasatti household. You learned to reach beyond your grasp, and you never quit. Never! That kind of parenting profoundly shapes your view of the world and how you run your team. I am fortunate to have two (2) very engaged parents who created a driven personality in me, while also teaching inspiration. Their parenting was not one size fits all, nor can leadership and inspiration be. I have cherry picked the best skills from them and apply them based on my audience and the climate. So, too, must you, if you want to succeed in inspiring others. Without my parent's guidance and inspiration, I would not be the person who I am. I am eternally grateful for the confidence they gave me to stand for what I believe in, and to dispense with limitations.

7. **Inspiration is a Two Way Street:** Be prepared to learn from your team, as that is yet another source of inspiration to you and them. I applaud my team's work-life balance…something I have yet to achieve. They are Gen Y's and Millennials and definitely have mastered that aspect of the practice of law. If you expect to retain them and build loyalty, you must protect their personal time. Recognize that irrespective of personalities and life situations, you share certain commonalities – to generate the best work product for a client, to client develop, to personally develop one’s legal skills, and to team build for posterity. Wisdom can come from a seasoned employee or a rookie. Everyone has something to offer if you keep an open mind.

8. **Take a Holistic approach to Inspiration:** You will need to inspire on many levels. It does not end at teaching the law. You have to teach management, building a practice, time management, business acumen, prioritization, etc. All are necessary survival skills in our day-to-day responsibilities. Our colleagues are complex creatures. They will bring to you their family matters, personal matters, legal matters, financial matters, health issues, etc. Inspirers listen and are problem solvers. You must be a life coach at times in order for your team to move forward and restore and/or maintain a healthy level of inspiration. It’s just part of being an inspirer. Be flattered when someone brings you their personal problems, not annoyed, and be in it to win it *with* them. You will breed loyal and inspired workers. Recognize that life happens – be
sympathetic and show empathy when needed, but on the same token, let your team know the expectations of a good performer.

9. **Inspiration envisions mobility:** Be prepared to let your team leave the nest. It is the highest compliment to a leader to have a colleague move on to bigger and better. Don't stop them, but welcome them back if they have second thoughts. Be cognizant that everyone has a personal and professional agenda, and respect and be pleased when those who you promote move on to bigger and better challenges.

10. **Inspiration sometimes requires a rebel mentality:** Be prepared to take the less traveled road and be somewhat of a rebel if it means long term gain and improvement. It's not all about being popular and most liked. Sometimes you have to challenge the status quo, whether that is hirings, firings, diversity, anachronistic thinking, procedures that stifle positive changes, complacency, inequities, etc. You won't always succeed, but some of the most spontaneous and telling discussions with my team occurred during times where I challenged the establishment for the greater good or just to protect my team. Always have a vision for your team and make sure the larger firm culture is conducive to that vision. Be a catalyst for positive change for those who you wish to inspire. Don't ever let anyone stifle who you are or tell you that you have to be anything other than genuine. When that happens, your ability to inspire plummets. Do not assume past ways of doing things are necessarily correct. Situations may require new thinking of ways to improve procedures. Inspirers are not shy about voicing their thoughts, but use their rebel ways wisely.

At the end of the day, inspiration comes from knowing who you are, having a vision, and putting that vision into focus through your actions and that of your team. When done correctly, inspired teams are productive, efficient, happy, and loyal. Inspired teams lead to next generation firms and make succession planning easy.

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Leadership In Legal Diversity

Diane L. Polscer

And miles to go before I sleep
-Robert Frost

Diversity in the legal profession has come a long way since my first court appearance over 30 years ago when an elderly judge peered over his glasses as he looked at me incredulously and asked, “Young lady, are you an attorney?” Or when I went to my first deposition and opposing counsel pointedly said to me, “Wait a minute, you can’t talk. Aren’t you the senior partner’s paralegal?” And this was already in the 1980’s! Thankfully many young female attorneys will not have to face such blatant sexism as I, and as I’m sure many of my generational colleges had to face a few decades ago. But this is not to say that we should stand still where we are.

In my 30+ years of practice, the judiciary has — slowly — grown more diverse.¹ We have reached a milestone in that a slight majority of students entering law school are now women.² More and more law firms and corporations are recognizing a diverse workforce can contribute to better business outcomes for their organizations.³ In fact, a new study of public companies from McKinsey shows that those in the top quartile for racial and ethnic diversity are 35% more likely to have financial returns above national industry medians, and those in the top quartile for gender diversity are 15% more likely to have above-median returns.⁴ Another recent study found support for the perception that women are better communicators, which could have implications for the legal profession in terms of witness preparation, trial strategy, and more. The study found that women were less likely to change conversation topics unilaterally, interrupt, or ignore points by others, and were better at drawing others into conversation.⁵

Despite many improvements, we in the legal profession still have miles to go before we sleep. Although women make up over half of law school classes, and become summer associates and associates at rates almost equal to their male peers, it remains the case that fewer women are reaching the highest echelons of the profession. Just over 20% of law firm partners are women, and that number is even lower for equity partners.⁶ While minority law school enrollment is approaching 30%, fewer than 20% of associates and fewer than 10% of partners are minorities. Lawyers with disabilities still face significant barriers to entering the profession, particularly in the private sector.⁷ Oregon and Washington are two of the only states that keep statistics on lawyers with disabilities;⁸ data in Oregon, for example, shows that approximately 3% of attorneys self-report as having a disability.⁹

Fortunately, the overt discrimination that still plagued the field when I was a young lawyer is on the decline. But we must not conclude this means that discrimination in the legal profession has been “solved.” As leaders in the profession, we must continue to be diligent in our attention to diversity and inclusion. These efforts range from educating ourselves, to attention to recruiting and retention within our own firms and organizations, to involvement with the broader legal, business, and civic communities. This chapter will address the following six issues: looking inside our own firms and organizations with diversity and inclusion programs; retention and mentoring; work-life balance; organizational leadership within the profession; leadership in business, political, and civic life; and educating ourselves and others.

¹ http://www.americanbar.org/content/dam/aba/marketing/women/current_glance_statistics_may2016.authcheckdam.pdf
² http://www.americanbar.org/content/dam/aba/marketing/women/current_glance_statistics_may2016.authcheckdam.pdf
⁴ http://www.forbes.com/sites/ruchikatulshyan/2015/01/30/racially-diverse-companies-outperform-industry-norms-by-30/#28469db85742
⁵ Reported in Defense Research Institute, For the Defense, in April 2014.
⁶ http://www.americanbar.org/content/dam/aba/marketing/women/current_glance_statistics_may2016.authcheckdam.pdf
⁷ http://www.abajournal.com/magazine/article/the_biggest_hurdle_for_lawyers_with_disabilities_preconceptions
⁸ http://www.abajournal.com/magazine/article/the_biggest_hurdle_for_lawyers_with_disabilities_preconceptions
⁹ https://www.osbar.org/_docs/resources/Econsurveys/12EconomicSurvey.pdf
I. LOOKING INSIDE OUR OWN FIRMS AND ORGANIZATIONS
WITH DIVERSITY AND INCLUSION PROGRAMS

Conscious and unconscious bias: impediments to company growth

Commitment to leading on diversity in the legal profession can begin right in our own firms and organizations. Unfortunately, overt discrimination still persists in some corners of the legal profession, and we must speak out loudly when we witness such discrimination happening.

While overt bias is easy to spot, unconscious bias can trigger painful consequences and requires much more introspection and attention in the law firm at all levels. Even among the majority of law firms and organizations that recognize the importance of diversity, and even have policies in place to further the goal of increased diversity, unconscious bias remains a stubborn impediment to progress. Unconscious or implicit bias results from undetectable cognitive processes that we are not consciously aware of. Implicit bias explains why, for example, a study showed that law firm partners judged more harshly a memo they thought was written by an African-American associate as compared to an identical memo they thought was written by a white associate. In another example, a Harvard Business Review study showed that subtle class cues (such as an interest in sailing, or country music) influenced hiring decisions among equally qualified candidates. Implicit bias explains how even attorneys who are consciously committed to diversity may be unconsciously undermining their own efforts, despite having the best intentions. We must continue to hone our hiring, evaluation, and promotion processes to prevent the potential pitfall of unconscious bias as much as possible.

When it comes to hiring, make your commitment to diversity known! My firm’s commitment to diversity is highlighted at the top of the front page of our website. Be proud of your commitment to diversity and do not hesitate to publicize it. Do not be afraid to make changes to your practices and processes; leaders must be forward-looking and willing to take a leap away from traditional methods when warranted. Finally, do not forget that hiring starts early. Be sure to consider the role of diversity in your summer associate and intern programs. Many firms also sponsor diversity scholarships for law students.

Diversity in the hiring process

Another way to cultivate diversity in the hiring process is to consider the accessibility of your hiring process and your firm as a whole. For example, when selecting software for your firm, you might consider whether it is compatible with the screen readers used by many blind and visually impaired attorneys. You could publicize openings at your firm by reaching out to local organizations, or organizations like the National Association of Attorneys with Disabilities, the National Association of Law Students with Disabilities, and the Disability Rights Bar Association. You just might find a whole new pool of talent by establishing your firm as a disability-friendly employer.

Cultivating diversity within your firm brings myriad benefits for your business and network. A 2014 report by the Center for Creative Leadership identified diversity as one of three crucial aspects of network-building for leaders. Diversity of geography, staff, attorneys, clients, consultants, and business contacts will bring a wide variety of perspectives and contributions to your network and your firm’s work.

11 https://hbr.org/2016/12/research-how-subtle-class-cues-can-backfire-on-your-resume
II. RETENTION AND MENTORING

Mentoring is a cause I have been passionate about since the beginning of my career. It is a critical aspect of a successful diversity recruitment and retention effort that is attuned to diversity. Mentoring can also extend to other attorneys and law students outside your firm. Your mentorship of a younger or newer lawyer helps your mentee explore how they want their career to develop and how they might get there. As the saying goes, you can’t be what you can’t see.

Some might not know where to begin when it comes to diversity mentoring. While some firms have formal mentorship programs, that might not be the right fit for every organization or every mentor. Mentoring could be as simple as inviting associates or colleagues to lunch or coffee, particularly those you might not work with often or have a lot in common with. Take care to let this be an organic process. Get to know your subordinates and colleagues because you truly want to learn more about them as a person and about their strengths and challenges at work, and because you want them to learn more about you as well.

Promoting inclusion in the mentoring process

Firms and organizations can also improve the inclusiveness of informal mentoring by evaluating and varying social functions and informal get-togethers. For example, after-work cocktails might not be very accessible to parents who have to race to pick their children up after work. Golf and tennis tournaments are commonplace in the legal profession, but sporting events could exclude attorneys with physical limitations and those who do not know how to play. It is easy not to think about these considerations if they are not something we personally deal with on a regular basis, but thinking about these other perspectives is important to promoting inclusion within your organization. Social activities can be very beneficial for informal mentoring and should be encouraged. Feel free to continue your favorite traditions, but also think about offering a broad array of activities over time and how you can improve the inclusiveness of individual activities and your social programming overall.

In addition to one-on-one meetings and informal social networking, mentoring could also mean encouraging an accomplished colleague to apply for a promotion or a new role, advocating for him or her before the hiring committee, or writing a letter of recommendation. Research shows women tend not to apply for a job if they do not meet every one of the required qualifications, even if they believe they could do the job well. If research in the political arena is any indication, just asking might be all it takes to increase the diversity of the applicant pool for your next opening or promotion opportunity.

III. WORK-LIFE BALANCE

The retention of diverse talent does not begin and end with younger attorneys and new hires. Another key “leak” in the pipeline to the upper ranks of the legal profession is due to the mounting child care and elder care responsibilities many professionals—and disproportionately, women—face as they approach the midpoint of their careers. Attorneys may also be confronting their own health challenges. But even for attorneys with fewer family responsibilities, a healthy work-life balance is key to a successful career.

Normalizing work-life balance through example and communication

Boutique firms like my own can be especially conducive to work-life balance, as the smaller, nimbler environment can facilitate flexible practices like remote work, compressed schedules, or job-sharing. Work-life balance was at the forefront of my mind when I co-founded Gordon & Polscer just three days after my oldest daughter was born. When I had to take a deposition in Georgia just five weeks after she was born, there was no question

https://hbr.org/2014/08/why-women-dont-apply-for-jobs-unless-theyre-100-qualified
http://www.mbabar.org/assets/ml_apr14_final.pdf
in my mind that the baby and my husband would be coming along. Throughout my career, I have dropped my daughters off at school every day, and I still pick my youngest up from after-school sports and activities as often as possible. I have always been up-front about the struggle to manage a growing law firm and my commitment to my family, because I believe that normalizing these discussions contributes to improved practices and policies. I have found that being open about my life outside of work can even be a boon to business. After all, clients have families too! It is not easy, but it is possible to find appropriate ways to incorporate family life into our professional, business, and civic activities.

Men have an active role to play in this discussion, as leaders and employers are increasingly appreciating that work-life balance is not just a “women’s issue.” It is not even just a “parents’ issue.” As leaders, we must broaden our approach to issues of family and work-life balance if we are truly committed to furthering diversity and inclusion.

IV. ORGANIZATIONAL LEADERSHIP WITHIN THE PROFESSION

As leaders in the legal profession, it is important to devote attention to diversity both within and outside of our firm or organization. As decisionmakers strive to improve recruitment, retention, and promotion practices, involvement in the larger legal community is equally important. Leadership on diversity in the legal profession often calls to mind affinity groups and groups focused on particular challenges within the profession. I have experienced firsthand the immense value of these organizations.

For example, as the owner of a woman-owned firm and one of the few woman managing partners in Oregon, I am proud to be a member of the National Association of Minority & Women Owned Law Firms (NAMWOLF), and an active member of its admissions committee. NAMWOLF was founded in 2001 and continues to promote diversity in the legal profession by fostering relationships among preeminent minority and women owned law firms and public and private entities. Those not eligible for membership in NAMWOLF may wish to look to broader organizations like the National Association of Women Lawyers, which has been working for over 100 years to advance women in the legal profession and advocate for the equality of women under the law. Other national organizations that might be of interest include the Hispanic National Bar Association, the National Bar Association, the National Asian Pacific American Bar Association, the National Native American Bar Association, and the National LGBT Bar Association.

Be the change you wish to see...

Many of us are also familiar with affinity groups on the regional, state, or local level. Some of these groups are so successful and well-established that it is easy to forget they have not been around very long. When I moved from Washington to Oregon in 1989, I was surprised to learn Oregon did not have a women lawyers association like Washington did. That year I co-founded the Oregon Women Lawyers (OWLS), which has grown into a vibrant organization with local groups across the state. The OWLS email listserv is widely considered one of the best resources in the state for job seekers, and OWLS' reach has grown to encompass continuing legal education, social events, community service, mentorship, and countless other resources for women lawyers in the state. In many areas, organizations like OWLS exist for lawyers of many racial and ethnic backgrounds and for LGBT lawyers. If there is not an organization in your area, it is time to start one yourself! Or you can encourage a mentee or colleague to do so.

We must also emphasize the importance of focusing on diversity in legal professional organizations more broadly, not just in affinity groups. Even, perhaps especially, in organizations that were not formed to focus on diversity issues, it is crucial to seek out new voices and perspectives. When I joined the FDCC in 1998, I was only the second woman lawyer from Oregon to be admitted. Even today, there are only two women members from Oregon. That is one of the reasons I am so invested in the work of the FDCC Diversity Committee, which I chair.
We created the FDCC Foundation Barb Currie Diversity Scholarship to honor the spouse of one of our long-time members, Edward J. Currie, Jr., a champion of diversity in the profession. The FDCC Foundation has also sponsored the Ladder Down program, a year-long program for women aimed at developing skills in leadership, business generation, and mentoring.

The FDCC Diversity Committee has also focused on improving the diversity of both the speakers and attendees at FDCC programs and events. The diversity of speakers can be overlooked at many legal conferences and events. In specialties where women are even more underrepresented, such as technology, the problem is particularly acute.17 The FDCC Diversity Committee is committed to improving the diversity of its programming by providing speaker suggestions to other FDCC committees, reaching out individually to invite members to events, and inviting non-FDCC members to speak at events, which we have found is also a great way to recruit new FDCC members.

V. LEADERSHIP IN BUSINESS, POLITICAL, AND CIVIC LIFE

Leadership on diversity also extends beyond the legal profession. For example, in 2014, I joined the board of the United Heritage Mutual Holding Company. That company has been in existence for over a century, and I am still only the second woman ever to be on the board. Since I am well-versed in insurance law, learning more about the business from another perspective has been incredibly rewarding. Lawyers who have developed subject-matter expertise in a specific type of business should definitely consider whether there is a place for their expertise and leadership in the business world and improve diversity.

Lawyers can also lead outside the profession through civic and political engagement. Justice Sandra Day O’Connor touched on this point when she noted in Grutter v. Bollinger that law schools often serve as incubators for future civic and political leaders. Given the disproportionate number of lawyers serving in elected office and other important community positions, it stands to reason that increasing the ranks of diverse attorneys, and all attorneys who are attuned to issues of diversity, will likely have an impact reaching far outside the profession.

In addition to the business and political spheres, leaders can look to pro bono work as well as community service outside the legal field. Perhaps you could be of service to an organization that is working to improve racial or gender equality. Looking to the lawyers of tomorrow might be more your speed. Many bar associations and other organizations have programs designed to get young people interested in government, law, and the constitution.

VI. EDUCATING OURSELVES AND OTHERS

It can be easier to think about our firm or the profession as a whole when considering diversity and inclusion in the legal profession. But being a leader also requires a commitment to continually educating ourselves and others. The legal profession and the issues facing it are constantly changing. Best practices in recruitment, retention, and management are always improving. Broader social norms are in flux. Even our idea of diversity itself is evolving. It can be easy to think of diversity as encompassing just race and gender, but thinking about diversity in the profession also extends to considerations facing attorneys of varying sexual orientations, gender identities, abilities, disabilities, backgrounds, and religions, as well as the interrelations between these different types of identities (the concept of intersectionality).

Self-education on diversity and inclusion necessitates a lot of listening, particularly when leading on issues with which we do not have personal experience. It might also mean doing some investigating of our own, whether that be through reading books and articles written by diverse authors, podcasts, trainings, or other resources. And leading on diversity means seeking out leadership roles for ourselves, but also encouraging others, sponsoring and recommending them for leadership positions. Increasing our awareness and educating ourselves can be expected

17 http://www.abajournal.com/magazine/article/women_are_squarely_in_the_picture_where_law_and_technology_combine
to pay dividends, not just in recruiting and retaining the best attorneys, but also in improved client relationships and overall business outcomes.

**LASTING CHANGE**

A final important note: remember that cultivating diversity and inclusion in the legal profession is a long process. In established firms — that may not hire regularly — it may take a long time for the demographic make-up to evolve. The same may be true of organizational leadership, and it is certainly true of the judiciary. That is why one-time diversity initiatives or inclusion-focused activities are not sufficient to produce meaningful change. Improving diversity in the legal field is an ongoing process of improving the norms of our profession. It must be a holistic process addressing facets ranging from hiring to promotion to mentoring to family leave policies. We must consider all of our different identities and their relationships to each other. I am convinced the rewards are more than worth the effort. We can't sleep yet.
Lessons In Leadership From My Former Football Coach

Thomas M. Dixon

Leadership can be a slippery concept. While there are scores of writings on the topic, and new so called “revolutionary” articles and books published every year on the secrets of leadership, we will likely always be searching to unlock the basic principles of great leadership. This never ending search is likely because the practical and consistent application of effective leadership in one’s own professional career and private life can be, well, easier said than done. So what do great leaders do? Are there common characteristics of all great leaders? Are leaders born, or are they developed, or both? We know there are all kinds of successful leaders, from every ethnic background, every socio-economic level, every level of education and with every kind of personality and temperament. Some great leaders are kind and gentle, others are outright cruel. Many leaders are gregarious; others are introverted. Some lead with fiery rhetoric, others lead only by quiet consistent example. So what is it that separates great leaders from the rest? Do they do things in common that serve to distinguish them as great leaders?

I have had the good fortune in my life to be directly exposed to a handful of people who I considered to be tremendous leaders. First and foremost, I think of my now deceased father, who had a long career as a distinguished attorney and for most of his career managed his law firm. My father led by calm, patient demeanor. He was always deliberate, always thoughtful, and always calculated and intelligent. His consistent application of these traits uniformly commanded respect from everyone who looked to him for leadership, including his family and his law firm partners and staff. His leadership qualities reminded me of the old popular TV commercial — “When E. F. Hutton talks, people listen.” My father had a personality that enabled him to lead with these qualities. He was the hallmark of consistency -- never too high, never too low. He was never over-reactive, and he never, ever lost his cool. Indeed, it was because of these traits that he never had to. It was this combination of qualities by which he commanded respect, which in turn enabled him to be provide great leadership.

I had the privilege of being closely exposed to another great leader who will serve as the focus of this article. I played football at the University of Michigan in the early 1980’s for legendary coach Bo Schembechler. “Coach Bo” or just “Bo” as he expected us (his players) to call him, was indeed a highly successful football coach, but as the years pass since his 2006 death his true legacy has become that of a revered leader. Although it’s been almost twenty-seven years since Bo coached his last down for UM, a short speech he gave to our team in 1983 (now known as “The Team, the Team, the Team speech”) is still blared from the video boards in Michigan Stadium every Saturday in the fall. When I think of Bo today, as I often do, I think very little about his success in terms wins and losses, and allot more about his greatness as a leader and the things we as team members learned from Bo about true leadership. I have confidence in knowing that my sentiments are uniformly shared by his former players. I cannot understate the love and respect my teammates still have for their former coach. But why?

In 2007, Bo and writer John U. Bacon published a book titled Bo’s Lasting Lessons in which they collaborated to identify and describe what Bo considered to be the fundamentals of leadership. Although John Bacon did not play football for Bo, he did an outstanding job of communicating the leadership fundamentals that we, as players, were exposed to every day. I consider John a friend, and kiddingly I once complimented him on his remarkable job of capturing some of the experience of having played for Bo, and offered as my sole criticism that the book does not entirely do justice to the “vigor” in which Bo implemented these fundamentals. That aside, the book is an exceptional read and I recommend it to anyone looking for insights about the basics of leadership. The book offers a host of Bo’s leadership fundamentals or the fundamental “values” as he terms them. However, as a former player, there are certain of those fundamental values that I believe were most important to Bo’s effectiveness as a leader. Few leaders in my experience have consistently demonstrated these values better than Bo. For purposes of this article, I have identified four tenants of Bo’s approach to leadership that have left the greatest impression on me. I believe these four fundamental values should be important considerations for anyone who strives to achieve

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greatness as a leader. The formula to great leadership becomes less elusive when you focus on a handful of basic fundamental values, just as Bo did. When you exercise militant observation of these core values, consistent application of leadership qualities tend to fall into place.

**Honest Communication**

Bo was a great communicator. In fact, he was the best communicator I have ever known. As a player for Bo, you never once had to guess what Bo was thinking -- because he always told you. And the reason that he was such a good communicator is simple; because he was always honest with you. Bo spoke the truth. He was a truth teller. As players we learned that we could count on hearing the truth from Bo. There was a consistency that was undeniable. Now occasionally his players didn’t want to hear the truth, but you always knew it was honest if it came from Bo. Now it’s tempting to think that the value of honest communication to achieving great leadership is obvious. But consider this; think back on the many people in leadership positions that you have been exposed to over the years. Were you always able to count on honest communication? Could you always take comfort in knowing you were hearing the truth? I know that I often could not.

So why was Bo’s lesson of honest communication so important to his effectiveness as a leader? That’s because as a player, the message from our coach was always crystal clear. You could always count on Bo to be direct and honest with you, and often brutally honest. There were never any mind games (a tactic used by some coaches), no misdirection, and never any confusion in the expectations. As players we always understood what the goals were, we knew what our job was, we knew the rules of conduct (“Bo’s rules”), we knew the high expectations and we knew with absolute clarity if we failed to meet those expectations. Of course leadership requires communication, but the leaders who are truly revered and most respected, are those who tell the truth.

In practice, strict adherence to honest communication with those you are leading can be challenging. Any host of things can interfere with the honesty of the message, be it conflict avoidance, concern about offending others, desire to be liked as friends, or just plain lack of honesty. Bo, as tough and demanding as he was, the coach who was notorious for tantrums on the sidelines and who was often depicted as a bully by the press, was one of the most compassionate people I know. But, he never let his compassion get in the way of honest communication. He never, ever avoided telling someone something they did not want to hear. Bo never let anything interfere with the delivery of an honest message.

**Loyalty**

Bo states in his book, “If you want your people to perform for you, they can’t just fear you. They have to respect you, and feel a real sense of loyalty to you that goes beyond the task at hand. Now how can I get that kind of loyalty? There’s only one way know of: You have to give it to them first.” In other words, loyalty begets loyalty. And I might add, it must be genuine. Bo understood the importance of loyalty to his players, and he lived it every day. In fact, he lived it long after his players graduated and could no longer produce wins for him. It is a gross understatement to say that Bo was difficult to play for. He demanded more than we thought we could give, he pushed us to the limit, he criticized us, he screamed at us, he broke us down. But despite all this, in the back of our minds, we knew that Bo genuinely cared about each one of us. As important as winning was under Bo, we knew there was more. We knew that Bo would always have our backs when we needed him.

Bo’s loyalty to his players was demonstrated in countless ways. From the very first day of practice as freshman, Bo made clear the expectation that every one of us will graduate with a degree; no exceptions. During fall camp every year he personally conducted special full-team meetings so he could teach the freshman how to properly calculate a grade point average at the University. Now it may seem a bit ridiculous that Bo spent precious time during training camp to do this — but think about the profound message it sent regarding the importance of being a student as well as an athlete. The goal of obtaining a degree was a mantra from Bo that never ceased.
Twice annually Bo conducted private meetings in his office with every one of his players. During my four years of
meetings with Bo, he only briefly mentioned football. Rather, all the focus of those meetings was on school, my
goals, and my future beyond college. Bo demonstrated his loyalty to his players in countless ways. We believed
that as long as we bought into Bo’s program and his concept of what it means to contribute to a team, he would do
anything in his power to help us.

Know Your People

Bo writes in his book that the single most important thing you do as a leader is know your people. In order
to lead people, you must know where they come from, what their goals are, what motivates them and what their
strengths and weakness are. Bo cites this practice as the single biggest failure of head coaches who are not suc-
cessful. Also, it’s important to appreciate that knowing your people is not a task that can be effectively delegated to
others. While playing for Bo I was always amazed at how Bo seemed to understand each one of us. Sometimes I it
felt like he was a mind-reader. How did Bo seem to always know what I was thinking? How is it that a 100 players
can all feel that they have a very special relationship with him?

Now putting the rough exterior aside, Bo was a people person. And knowing his people may have come
naturally to him. But in a leadership position, being a people person is not enough. The demands placed on lead-
ers can be over-whelming. It’s tempting to think that the priorities of the day do not allow sufficient time to foster
such a deep understanding of those you lead. But, knowing your people does not happen naturally or on the fly.
Bo’s magic in knowing those he was leading was not magic at all. He simply took the time to listen.

Bo states in his book that you cannot lead if you cannot listen. If you are not willing to listen, you will
eventually fail. Bo made listening to his players a priority; always. We all understood that. He knew what we were
thinking because he made the time to talk to each one of us. One of Bo’s rules was that when any of his players
ever had a problem we could talk to him. He made that clear to all of us from the very start of our playing careers
at UM. He made sure that his assistant coaches and his staff all knew that his players were allowed access to him,
if and when we felt we needed it. He had a standing rule that if one of his players came to see him, he was to be
interrupted, regardless of what he was doing. He would routinely interrupt meetings to see one of his players.
Now, understand that going to see Bo with a problem was not always pleasant or comfortable -- knowing that you
may very well not like what you were going to hear. Because of that fact my teammates were selective about the
frequency of trips into the office to see Bo. But what was of utmost importance to each of us as players was the fact
that we knew we had access to Bo if we needed it. We always knew, every one of us, scholarship player or a walk-
on, four year starter or demonstration player, we could have immediate access to Bo if we needed it. We knew he
cared enough about us to take the time to listen.

Great Leaders Must Develop Great Leaders Beneath Them

As a former player, I am convinced that the single most important contributor to Bo’s continuum of success
in terms of wins and losses was his emphasis on senior team leadership. As a young player at UM, I needed to look
no further than my senior teammates to see and understand the road to success. It was obvious -- just do what
they did, and their success would eventually become my success. Bo had a sign hanging on the wall of the locker
room that we walked by every day to the practice field: “Those who stay will be Champions.”

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Indeed, every Michigan football player who played for Bo for four years left Michigan with at least one Big Ten championship ring.
that nothing short of winning every game was acceptable. Now of course we didn't win every game, but how often was the difference between winning and losing bridged by our belief as a team that we would win?

The positive influence of senior leadership on Bo’s teams was no accident. This was by design. Bo knew that a succession of secondary leadership was necessary to continued success of the program year after year. He knew that his leadership alone was not enough because he could not do it all. He knew that younger players respond differently to their senior teammates who had already proved to be successful in past seasons. Bo enabled his seniors to take leadership roles on the team and he placed tremendous expectations on them to lead the younger players. He continually emphasized the leadership role of his seniors to all his players. He encouraged the younger players to look to them for leadership.

I’m convinced that this continuum of senior leadership is a significant reason why some football programs tend to be perennial winners, and others perennial losers. The teams I played on at Michigan did not win because we always had the best players; in fact, we didn’t. There was enough parity in recruiting that the margin between winning and losing was much thinner than most people appreciated. Building the momentum of a winning program year after year is difficult, and it can be easily lost. Fostering secondary leadership with the seniors was the inertia that kept the fly wheel moving year after year. Bo fully appreciated that that to be successful as a coach he could not do it all — he needed internal leadership supporting him.

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Leading Millennials

Alison R. Christian

Should you ever find yourself on your path, moving along in spite of fear, wondering if you’re ready or not to rise to the next level, chances are great that you will not be ready. Rise anyway.
-The Universe

This quote captures the Millennial mindset. They are a generation unbound by limitations. They know what they want and they are not afraid to go after it, even if they ruffle a few feathers along the way. Resist the temptation to lump them into negative generalizations and judge them by stereotypes. Like it or not, Millennials are shaking up the legal profession. For the better.

I know what you are thinking. They are so entitled! They want accolades and accommodations! They don’t understand the importance of hard work! How can we work with them if they are always on vacation? I hear your concerns and, trust me, I know what you mean. Not only do I have the honor of being a Millennial (barely), but I also have the pleasure of leading Millennials on a daily basis. It is not an easy task, but it is one that has forced me into mindful leadership; it has made me a better, more conscientious, leader.

In exchange for an FDCC participation trophy (I kid, I kid!) I agreed to share my thoughts on how to transform this generation of lawyers into your firm’s most valuable players.

1. WHO ARE “MILLENNIALS” AND WHY DO THEY MATTER?

The definition of Millennial varies depending on the source. It typically includes anyone born between 1980 and the mid-1990s, although that same time period has also been described as Gen Y, Echo Boomers, and the Net Generation. According to the abridged version of the 2016 Gallup report, “How Millennials Want to Work and Live,” the term “Millennial” includes the roughly 73 million individuals born between 1980 and 1996. The satirical website, Urban Dictionary, defines “Millennial” as:

Special little snowflake. Born between 1982 and 1994 this generation is something special, because Mom and Dad and their 5th grade teacher Mrs. Winotsky told them so. Plus they have a whole shelf of participation trophies sitting at home so it has to be true. They believe themselves to be highly intelligent, the teachers and lecturers constantly gave them “A”s in order to keep Mom and Dad from complaining to the Dean. Unfortunately, nobody explained to them the difference between an education and grade inflation so they tend to demonstrate poor spelling and even poorer grammar. At work, millennials believe themselves to be overachievers who just aren’t understood by their loser bosses. Even Mom said so when she showed up for the interview. They are the only generation in the universe to understand the concept of work life balance and to actually want to find a fulfilling career. All those Gen X losers just don’t get it, what with hoping to keep their jobs and pay the bills, but they are just corporate drone so who cares what they think? They should be smart like Millennials and get Mom and Dad to pay for that stuff until they can work out what they want to do with their lives and then get rich doing it.

That is the image most people have of Millennials. Partly due to Millennials’ actions. But largely due to an institutional reluctance to embrace change.

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No generation is without its challenges. The challenge for Millennials is that they are the first generation of lawyers to grow up with technology. Gallup CEO Jim Clifton describes them as “first generation digital natives who feel at home on the Internet.”4 This is an advantage. Even though most of them wouldn't know that a pocket part isn't a skinny jean trend, they have better and more comprehensive access to legal research tools than any other generation of lawyers. Laptops, wireless internet, and mobile devices make it possible for Millennials to be as productive remotely as they would be in the office (if not more so). Videoconferencing, real-time transcripts, and webinars make it easier for Millennials to interact with clients and other lawyers without disruptive and expensive travel.

The challenge is that technology can also take its toll. Baby Boomers logged long hours at the office, but didn't risk getting an email from the boss or a client once they got home. Millennials are “available” around the clock, with many firms expecting increased productivity and responsiveness as a result. Even most airplanes, restaurants, and hotels are equipped with wireless internet. Vacations aren't really vacations anymore. This heightened accessibility forces Millennials to be more intentional about setting boundaries and taking personal time than any other generation. I saw a post online the other day from someone complaining about an “out of office” response that said the person was “unavailable”. The comment said there was no such thing anymore and it was unacceptable to suggest otherwise. This atmosphere means Millennials need to initiate conversations about personal time more than other generations. That alone creates tensions in law firms.

Millennials are also the first generation unmotivated by purely financial gain. Hefty salaries and year-end bonuses used to provide firms with enough leverage to demand 2000+ billable hours a year from associates. These days, firms must offer much more than money. Don't get me wrong – Millennials still want to get paid, and paid well. The challenge is that firms must communicate a purpose and meaning beyond financial incentives. They must have supervisors who are willing to teach and train young lawyers, not just assign projects. They must be committed to finding opportunities for their associates to grow their strengths. Most importantly, they must have leaders with a vision.

As Jim Clifton asked in the Gallup report, “Why does any of this matter?”5

Law firms should care about keeping this generation engaged a great deal. According to the 2016 Minnesota State Bar President, Robin Wolpert, Millennials “represent 40 percent of today's workforce and are the biggest and most powerful customer group today. By 2017, they will carry the bulk of the world's spending power. By 2025, millennials will make up 75 percent of our employees and customers. If we want to thrive and succeed as a profession, we cannot afford to ignore millennials. They are our clients and potential clients. They will soon be the face of our profession in every sector of the legal services market.”6

Only 29% of Millennials are engaged at work, however, and another 16% are actively disengaged (meaning they are out to damage the company).7 Even though 21% of Millennials reported changing jobs within the last year, 60% of Millennials remain open to a different job opportunity.8 Millennial turnover costs the U.S. economy an estimated $30.5 billion each year.9 As summarized by Mr. Clifton in the Gallup report, “If millennials cannot find good jobs, the economy will continue to lag. If they are not engaged in those jobs, companies' profitability, productivity and innovation will suffer. And if they are not thriving in their well-being, they will struggle in life,

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5 Id. at 4.
8 Id. at 9.
9 Id.
affecting how they perform as citizens, consumers and employees.”

2. WHAT DO MILLENNIALS WANT?

A recent blog article for Hired.com by Whitney Ricketts lists three characteristics that Millennials look for in an employer: opportunities for growth, quality management, and interesting work. These sound simple, but they continue to present a challenge for law firms. Decades of tradition established a framework for how law firms operate. Associates are recruited from top law schools to work grueling hours for the first few years of their careers. They are assigned the least desirable projects and typically have little say in what lands on their desks. They meet with management for formal feedback once a year during year-end reviews. If they are lucky, a successful partner takes an interest in them and shares advice on how to develop a book of business. A select group of associates then goes on to become the next round of partners and the cycle continues. One can see why this model may not entice entrepreneurial Millennials.

“Interesting” work is often in the eye of the beholder (says the insurance coverage lawyer who could gleefully discuss the meaning of the word “occurrence” for hours). Determining what interests your young lawyers is the first step in cultivating a good relationship with them. Presumably, they came to work at your firm for a reason. Engage them early on and identify that reason so you can find opportunities for them to cultivate it. If you have associates who want to handle litigation files, don’t assign them to a transaction team. Similarly, if you have lawyers who want to make a difference in the world, see if they want to take on the firm’s pro-bono projects. Having these discussions early and often will benefit the firm, and its Millennials. The relationship will never work long-term if their needs are not aligned.

The next characteristic – opportunities for growth – also calls for greater communication within firms. Do you know your young lawyers’ goals? Where do they see themselves in five years? What organizations do they want to join? What social causes are important to them? How much time do they have to devote to professional development? These are good questions to ask, even if young lawyers do not yet have answers. As Ms. Ricketts’ blog points out, 87% of Millennials cite development as an important job factor, but less than half of them agree that their current job provided outlets for learning and growth in the past year. The first step in providing those outlets is initiating conversations to understand what growth looks like for each individual.

The last characteristic, quality management, is where law firms may run into the biggest growing pains. Mr. Clifton reports, “The relationship between manager and employee represents a vital link in performance management. As is often the case, communication is crucial for that relationship to succeed.” The Gallup report also noted, “The more conversations managers have with their employees, the more engaged their employees become.” The time of year-end reviews as the only opportunity to sit down and evaluate both the law firm and the lawyer is over. Millennials want frequent and meaningful feedback on their performance.

Millennials also expect more from management – “they don’t want bosses – they want coaches.” Put another way, Millennials do not want to be directed, they want to be empowered. For anyone supervising Millennials, this requires greater effort. I had several Millennial lawyers tell me that they want their input considered and

10 Id. at 5.
12 Don’t forget the lesson Tom Hanks taught us all in Bridge of Spies: insurance coverage lawyers are heroes.
15 Id. at 11.
16 Id. at 3.
their ideas valued, both in terms of specific projects and in strategic firm planning. They also prefer to understand objectives and be consulted about potential ways to achieve them, rather than simply be assigned tasks. One Millennial I interviewed said, “Millennials do not want to be cogs, they want to know that their contribution is valued and appreciated. That said, Millennials also want to make sure they are actually contributing, so helping them do so in a constructive, encouraging way, will help them be the contributing colleague you want them to be and will also motivate them.”

This departure from tradition is a source of friction within firms. At our small firm, for example, we struggled with this element because there are fewer supervisors to go around. Giving each young lawyer the coaching he or she deserves means partners need to invest more non-billable time in the firm. And any time firms ask partners to invest more non-billable hours, they are asking them to give up either profits or personal time. Neither is particularly appealing; hence the friction. Another Millennial I interviewed, however, suggested that this coaching does not necessarily have to come from a partner. He said, “By mentorship I don’t necessarily mean from the leaders themselves. Suggesting that a long-term employee or senior associate mentor a new (millennial) associate, or introduce them to a friend or colleague outside of the office that the millennial can reach out to would work, too.”

Discovering what success looks like for your firm’s young lawyers, providing them with interesting opportunities through which they can thrive, and guiding them with individualized attention will require time and energy. Not all firms are up to the task. Admittedly, Millennial “job hopping” has made it very difficult for firms to invest energy in this talent pool; 60% of them are open to switching jobs in the next year. But as I once read:

CFO: “What happens if we invest in developing our people and they leave us?”
CEO: “What happens if we don’t, and they stay?”

### 3. WHAT CAN LAW FIRMS LEARN FROM MILLENNIALS?

Whenever I encounter a negative experience – a difficult attitude from opposing counsel, an unexpected outcome, an unhappy employee, rejection from a potential client – I take a step back and ask, “What I am supposed to learn from this?” I reflect on aspects of the experience that were in my control and identify different choices I could have made to influence the outcome. I find myself taking this same approach when leading Millennials.

One common Millennial trait is that they are hungry for praise and appreciation. They want to know that their strengths are identified and developed. They do not want to talk about their weaknesses. This is a very productive trait. Gallup discovered “that weaknesses never develop into strengths, while strengths develop infinitely. This is arguable the biggest discovery Gallup or any organization has ever made on the subject of human development in the workplace.” Jim Clifton, *How Millennials Want to Work and Live (Abridged)* at 3, GALLUP.COM, (2016), http://www.gallup.com/reports/189830/millennials-work-live.aspx.

Millennials do not have the same job loyalty as other generations. In fact, “The new normal is for Millennials to jump jobs four times in their first decade out of college. That’s nearly double the bouncing around the generation before them did.” These statistics should startle law firms. When disenchanted associates leave, it impacts firm morale, profitability, and reputation. Firms that believe young lawyers are fungible do not yet understand

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17 This is a very productive trait. Gallup discovered “that weaknesses never develop into strengths, while strengths develop infinitely. This is arguable the biggest discovery Gallup or any organization has ever made on the subject of human development in the workplace.” Jim Clifton, *How Millennials Want to Work and Live (Abridged)* at 3, GALLUP.COM, (2016), http://www.gallup.com/reports/189830/millennials-work-live.aspx.

Millennials. They risk watching their truly best “product” – people – walk right out the door.

As a result of circumstances largely out of their control, Millennials grew up hearing the message they could, and should, have anything they want in an environment that catered to instant gratification. Want to know the answer to a question in seconds? Just Google it. Want to have an amazing meal delivered to your door within minutes? Download the UberEats app and click order. Don't want to risk the crushing humiliation of being rejected in person when asking someone out on a date? Match.com to the rescue. Believing that you are entitled to exactly what you want, exactly when you want it, is dangerous enough. Living in a technological age that has made it possible is a recipe for psychological disaster.

Simon Sinek is one of my favorite lecturers on leadership. His TedTalk, “How Great Leaders Inspire Action”, is a must-watch. His October 2016 appearance on “Inside Quest” about Millennials in the workplace is directly on point for this chapter and I recommend you also watch it. One of his overarching themes is that people want to be inspired. They want to work at a place with an articulated purpose alongside leaders with a vision. This is one of the reasons Millennials struggle at law firms – they are notoriously traditional institutions whose “why” is rarely challenged.

If you asked most Traditionalists or Boomers why they became lawyers they would give you two answers: financial security and prestige. Law firms did not have to tout their ability to provide personal happiness and professional fulfillment as a recruitment tool. As Mr. Clifton recognizes in the Gallup report, “Back in the old days, baby boomers like me didn't necessarily need meaning in our jobs. We just wanted a paycheck – our mission and purpose were 100% our families and communities.”

As author and Duke Law School graduate Tucker Max observed, however, “Millennials have straight up rejected this system. They won't give their lives away just to ‘win’ an unwinnable race. Instead of the illusion of financial security, and the scarcity of status and prestige, Millennials have two primary ways they measure success: 1. Millennials want to be a part of something they find meaningful. Their work needs to matter, both to them and to the world. 2. Millennials want to build deep, authentic connections with people. They want real relationships.”

Millennials are therefore the first generation to make law firms answer the question, “What is our purpose?” The process in finding the answer will be as important as the answer itself. Many firms may discover that they have objectives (i.e. develop more clients, increase profitability, expand into a new practice area, etc.). They may even have a plan for achieving those objectives (i.e. join professional organizations, reduce expenses, attend seminars, etc.). But in order to keep Millennials engaged and happily employed, firms need to articulate why those objectives matter and how they can be achieved while still enjoying a balanced life.

This is where most firms encounter resistance. The changes that Millennials are asking for from law firms are good changes. They want greater flexibility in when and where they work, more attention paid to their professional development, a voice in firm decisions, freedom to spend guilt-free time with their families, and improved communication with firm management. These are all good things that would benefit most lawyers (a notoriously unhappy group of professionals). Problems arise, however, in the way the Millennial message is delivered.

Millennials tend to get in their own way. They enter the professional realm burdened by the expectation created by their childhood – “I want it, therefore I shall have it” – and when communicating their desires to law firms, Millennials overlook the sacrifices made by those who came before them. There are women who endured blatant sexual harassment for decades. They were trying to make it in a man’s world with very few allies. Some of

20 David Crossman, Simon Sinek on Millennials in the Workplace, YouTube.com (Oct. 29, 2016), https://www.youtube.com/watch?v=5ER0QP6QJNU.
them sacrificed getting married and having children just so they could succeed as a lawyer. And for those who tried to have a professional and a home life, no one made it easy on them or cut them any breaks.

There are also men who put in fifteen to eighteen hour billable days for years, grinding away just trying to earn a living. Some of them rarely saw their wives and children, and never got to take the family vacations or make it to the weeknight sports games. They were constantly trying cases and were expected to “suck it up” if they were sick. Hobbies? Yeah right. I can assure you no one was checking on the “personal fulfillment” level for these men.

The Millennial mindset can breed resentment in older lawyers, understandably so. The same lawyers whose life-long sacrifices created many of the law firms we know today are the ones being asked to accommodate a new generation of lawyers who expect to have it all at once. I get it. It doesn't seem fair. But there is a huge opportunity here where everyone wins. If Millennials want their message to be heard within firms, they need to work on their delivery. They should approach firms with greater humility, be ready to cooperate and work hard, and show respect to those who came before them. They should be patient, and should look for opportunities to demonstrate their commitment to the firm.

On the flip side, the Boomers and Gen X-ers need to open their minds, improve their communication skills, and be truly willing to try new things. Most importantly, however, they need to let go of resentment. The best way to do that is to set aside time for themselves. At our firm, for example, our partners started to recognize resentment building when asked to accommodate young lawyer (and employee) vacation schedules. Part of that stemmed from the fact that the partners were not taking vacations themselves. We did our best to enjoy marketing trips and conferences, but it wasn't the same as truly “turning off.” To counteract that resentment, we made a point to set aside time for the partners. Ideally once a quarter. The change made us happier, more productive lawyers and is an example of the good that can come from embracing the Millennial mindset. Now, when partners are asked to carry an extra load while associates take time off, the partner knows their time will come, too.

4. WE CAN’T LIVE WITHOUT THEM, SO HOW DO WE WORK WITH THEM?

Our small firm is a living organism. If one person is having a bad day, everyone feels it. If there are too many closed doors, people get nervous. If a deposition goes awry and people start throwing water bottles at each other across the conference room table while shouting at the top of their lungs, everyone wants to poke their heads out and see what's happening. Hypothetically.

Learning to lead this “organism” is an amazing experience. When I first became partner and was trying to get my sea legs, I read a book by Tony Hsieh called Delivering Happiness. Tony joined Zappos.com as an advisor and investor and eventually became CEO. He helped Zappos.com grow from almost no sales to over $1 billion in gross merchandise sales annually, while simultaneously making Fortune magazine's annual “Best Companies to Work For” list.²³ The book is about his belief that happiness is a business model – a very good business model.²⁴ As their website describes, they “discovered that happiness is really good for business, increasing every positive business outcome including 300% more innovation [HBR], 37% increase in sales [Martin Seligman], and 31% increase in productivity [Greenberg & Arawaka] and decreasing everything that you don't want, 125% less burnout [HBR], 66% fewer sick leaves [Forbes], and 51% less turnover [Gallup].”²⁵ This idea of developing happiness first resonates with Millennials.

Seven of our firm's ten lawyers and two of our staff are Millennials. Naturally, happiness is something we actively cultivate. For example, we have two associates who bring their dogs to work. Margo, the long-haired red dachshund described as “half-dox-full-fox”, comes on Tuesday and Friday. Casey, the golden retriever with an

²⁴ http://deliveringhappiness.com/
²⁵ http://deliveringhappiness.com/company/
impeccable knack for knocking food out of your hand at lunch, comes on Monday and Wednesday. Thursday is Steve Dichter's day, since he still doesn’t understand why we need dogs at the office. They have plush beds, toys, and their own special treats. They meander in and out of our offices and cubes, with a sixth sense for who needs them most. Their presence creates a noticeably improved and more relaxed atmosphere. More than once, I have hung up after a difficult conference call to sit in the hall and play fetch. Trust me, it helps.

In line with my role as Chief Happiness Officer, I implemented an associate incentive program last year that achieves two goals: capturing more billable time and getting our firm together for a meal every day. We noticed that associates were struggling to put their time in contemporaneously, causing productivity (and our administrator’s sanity) to suffer at the end of the month. To encourage better time entry, we offered to buy everyone lunch (up to $10/day/person) for the week if every associate has their time entered for the previous week before our administrator gets in Monday morning. Each associate is in charge of ordering the firm’s lunch one day a week.

The program was a positive change for a couple reasons. First, we get our invoices released and out the door quicker because we are not waiting for attorneys to enter time at the end of the month; quicker invoicing means quicker payment and improved cash flow. Second, the associates spend less time worrying about and getting lunch because for four days out of the week all they have to do is place an order and it comes to them. Third, our firm has a much greater sense of camaraderie and connection. The conversations we have around the lunch table get us out of our offices and talking. Some days we roundtable recent cases or brainstorm strategy. But more often we discuss important issues in the world and in each other’s lives. This kind of authentic communication builds relationships and strengthens “purpose.”

We also restructured our approach to annual reviews. Rather than meet once a year, we schedule two formal reviews (one mid-year and one at year-end), and we involve the associates in firm decisions throughout the year. For example, we started discussions about what kind of office space everyone wants since our lease expires in two years. We asked whether people want to work from home and share offices, what features are most important to them, what part of town they want to be in, and whether they are comfortable spending more on space if it means we will all make less money. We also assigned an associate to work with our administrator to look at options and do site visits.

Along the same lines, any decisions about hiring are made as a firm. Everyone is invited to look for potential candidates, and is part of the decision about whether we want to hire someone or work more hours and make more money. The interview process usually involves coming to our firm for lunch and getting to know the team. We make it clear to the associates that everyone’s input is valued and appreciated. I understand that some of these examples are much easier for a small firm to implement, and firms have to determine what works best for them. But the objective (increasing associate involvement, cultivating happiness, and building meaningful relationships with your colleagues) are ones that firms should build into their cultures if they want to retain Millennials.
5. LEADING THE CHARGE

The FDCC’s motto, “Above and Beyond”, is more than words on a page to me. I am convinced there is not a more talented group of lawyers out there. What I love most about this group is that they are not just good lawyers, they are good people. They care about each other and the betterment of our profession much more than one might expect. The FDCC membership is also uniquely situated to institute the kind of changes needed to effectively lead Millennial lawyers in the future. Many of our members serve on compensation committees and hiring committees within their firms and have the ability to create programs that will improve camaraderie and retention. They have the power to change policies, to influence attitudes, and to encourage their firms to adapt. When they talk, people listen.

As with all sustainable change, we must start at the top. Fortunately, that’s the FDCC. Going “above and beyond” is our calling and is it exactly what is required to meet the Millennial challenge. I welcome the opportunity to hear your thoughts and share successes on this topic at the next FDCC meeting.

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A Different Strategy - Lead From Behind

Edward M. Kaplan

I’ve been asked to share my views on “leadership.” In other words, to share what I believe to be important for a person who achieves a position of leadership; and to discuss the principles that are important (to me) when one takes on a leadership role.

In 2010 Professor Linda A. Hill of the Harvard Business School began writing about a particular leadership concept identified as “leading from behind.” Professor Hill wrote that she developed this leadership concept from reading Nelson Mandela’s autobiography in which Mr. Mandela discussed leaders as shepherds leading their flock from behind. Because this concept of leadership style seemed to be consistent with my own view that the best leaders place others in positions to stand out while they lessen their own limelight, I explored “leadership from behind” more fully and have come to believe that in the right circumstances it can be an effective leadership tool.

Before I read of Professor Hill’s work, statements by two different individuals expressed my vision of leadership. These statements envision a “quiet” leadership when others are placed in front and are encouraged to come forward to develop their talents and ideas to improve and advance the organization.

“No man will make a great leader who wants to do it all himself, or to get all the credit for doing it.” Andrew Carnegie.

“A leader is best when people barely know he exists, when his work is done, his aim fulfilled, they will say: we did it ourselves.” Lao Tzu.

Now, however, my favorite quote, for its simplicity is:

“Lead from the back, and let others believe they are in front.” Nelson Mandela.

As briefly noted above, Mandela’s leadership concept and writing lead to a theory of “leadership from behind.” Mandela equated this style of leadership to a shepherd and his flock. Typically, the shepherd is in the rear pushing his flock forward. On occasion however, the shepherd must move to the front to protect the flock, or to deal with dangerous situations, or to correct the course.

Mandela’s theory when put into action requires a type of “rethinking” for the leader. The idea of what he or she needs to do to improve the organization remains the central concept. However, the implementation of those ideas takes an approach somewhat different than traditional leadership styles. The leader must focus first on developing a clear agenda of ideas and then finding the people who can support the leader’s vision.

Leading from behind will more often than not place the leader in a supporting role and out of the limelight. This background role is not always acceptable to someone who has finally achieved what they believe to be “their” leadership position. For that person, leading from behind is unlikely to work successfully because he or she will be unable to move aside and empower others to come forward with ideas as they develop their own leadership skills.

One who leads from behind does not take a vacation from their leadership responsibilities. While the leader remains in the background, skills must be used to keep the organization moving in the right direction so that it can accomplish the agenda of ideas originally laid out and supported by those who are working to accomplish the vision (i.e., “the flock”). The leader will continue to provide inspiration through discussion and interaction. He or she will work to develop a collaborative environment in which individuals can comfortably come forward with new and innovative ways to achieve the goals that have been set out. It is within this collaborative environment
where discussion of different goals will take place as those who support the leader begin to move forward and lead on their own.

My Federation experience provides an example of this concept. Certainly, when I became president, I had some ideas that I hoped to put in place; some changes that I thought would be helpful; and some critical evaluation of the processes we were following that would benefit the organization. My first step was to identify individuals within the Federation who had the interest, talent and time to take on the projects. My next step was to sit with them as we took an idea, molded it into a specific goal and developed an action plan to achieve the goal. This action plan became “their” action plan because to a large degree, it was. They would select the people to work with and the assignments given to each person. Or, considering the particular goal, they might decide it would be best to complete the work without additional help. In other words, they would become the leader! My job was to continue to evaluate the work of those who were now leading, and to make certain we continued in the right direction. Once the goal was achieved or the task completed, my job was to move aside and give them credit for a job well done.

As noted above, the challenge to this type of leadership is being willing to forgo the spotlight and to foster a process that purposely puts others in front. In fairness, leadership from behind cannot work in every organization. Since the theory of leadership from behind requires the nurturing of others, rather than bold action by the leader, it takes time and it requires that “the right” individuals be available to develop their own skills. If an organization is in need of immediate action, or is in a crisis mode, typically one person will need to step forward and take charge leaving the development of others to a later time.

However, when leading from behind is successful, those with the most talent and desire will move ahead while the rest follow along. Those who have pushed to the front may never realize their journey was always being directed from the rear!
Law Firm Succession - Plan For The Inevitable

Evelyn Fletcher Davis & Todd C. Alley

When you have a choice and don't make it, that is in itself a choice
-William James

When confronted with possibilities, those in charge of organizations are counted on to make the right choice. True leaders of organizations, however, do not simply make choices. Leaders make decisions. Decisions, in the context of organizational leadership, are not best made when choices are thrust upon leaders by outside forces, but rather are best made through a cognitive process - identifying the need for a course of action, gathering information, preparing criteria, and identifying and selecting alternatives based on the values and preferences of the organization.

Such organizational decision-making is no better applied in the leadership of law firms than in the context of law firm succession. In this chapter, we will discuss:
- what succession means and why it is important to plan for succession in your firm
- the key considerations when planning law firm succession
- strategies for succession planning
- common mistakes that law firms make when engaging in succession planning

LAW FIRM SUCCESSION: WHAT IS IT AND WHY IS IT IMPORTANT?

Gray hair is a crown of splendor; it is attained in the way of righteousness.
-Proverbs 16:31

I once read that the law is in one of a very few professions in which one's value and earning capacity continues to increase well into a person 50s, whereas in most careers this arc tops out in the early-to-mid 40s. In other words, gray hairs on an attorney are not a sign of someone on the downslippe of their career. Everyone, even the very best in the business, leave the profession at some point, however, opening the doors for others. According to the American Bar Association, in the ABA Journal of August 2016, “Nearly half of the partners in the nation’s top 200 law firms are Baby Boomers or members of the older Silent Generation. And that means there will be a wave of upcoming retirements . . . Sixteen percent of partners will retire in the next five years and 38 percent will retire in the next decade.”

This means that a lot of leadership, experience, wisdom, and yes, revenue generation, will be leaving law firms too - unless proper succession planning is done. Too often, though, law firms assume that the next generation of leaders will appear intrinsically from the firm's crop of young, competent attorneys. Or leaders believe that succession planning will engender concerns of problems in the firm, both from within the firm and from clients and others outside the firm. If done properly, however, succession planning will do just the opposite; it will: increase morale and confidence in the firm's partners and employees; ensure that clients stay with the firm after the departure of a senior partner; and, secure continued profitability and success for the firm. Succession planning is a difficult, but essential, strategy that all law firms must develop to guarantee sustainability.
KEY CONSIDERATIONS FOR LAW FIRM SUCCESSION PLANNING

We must all suffer from one of two pains: the pain of discipline or the pain of regret.
-Jim Rohn

We’ve all heard the snarky retort: “A lack of planning on your part doesn’t constitute an emergency on mine.” While it is often true, failure to plan for succession in your law firm may very well result in an emergency situation for those who should have planned for it. Succession planning may not seem as sexy or urgent a topic as client development, billable hours, budgeting or personnel matters, but it is a requisite to future success for a firm. And, it requires the pain of discipline now to avoid the pain of regret later. “Succession planning” may, at first blush, appear to be a single topic, it is really two separate issues: one focused on the continued viability of the organization; and the other focused on the vital issue of sustained profitability of the firm. Those two issues are leadership (or “management”) succession and client succession. One is not necessarily more important than the other, but it is important that both are planned for to ensure the firm’s continued success.

To begin leadership succession planning, firms need to know who may be leaving and when - that is, what are the firm’s demographics and outlook for retirement. Firm management should chart and analyze the demographics (age, years of practice, number of attorneys in each practice group) of the attorneys. This will create a graphic representation of whether or not there is the right mix of attorneys to continue the work when older attorneys leave. Another layer of analysis is to chart billing numbers as a function of age to provide insight into how much money generation is on the way and in the up-and-coming ranks. A firm’s senior leadership should continually evaluate this data, perhaps at an annual partners’ retreat, to ensure the right “horses are in the stable” at present and for future years and to prevent being caught in the lurch when a senior leader retires or otherwise departs.

Likewise, planning for client succession - the retention of a client after the departure of the attorney responsible for relationship - should not be delayed until a retirement is announced, but should be planned and discussed with the client long beforehand. Some may be concerned that planning for such an eventuality and talking about it with the client suggests instability or provides the client with a natural opportunity to cast about for new counsel. Good client succession planning, however, requires gathering information about what your clients’ future plans and needs are and having conversations with your client about who will carry on the relationship after the senior partner leaves. Seek your client’s feedback and incorporate that into your succession planning.

Finally, it is important to remember when planning for succession that not all departures are planned, such as retirement. Partners leave for other firms or to go in-house and some, literally and figuratively, die at their desks. Not to be overlooked is the possibility of an aging senior partner simply no longer being capable of functioning at the high levels expected or needed in the firm, and thus necessitating a change in that partner’s role. These sudden and unexpected departures are frequently more shocking and destabilizing than the long-coming retirement of a grizzled and gray senior partner, so they must be acknowledged and incorporated into succession planning.

Planning ahead for succession in expected and unexpected departures requires knowledge of your firm’s and your client’s particular demographics, current circumstances, and projected positions. But because succession planning is so vital to your firm’s continued viability and success, doing so will foster confidence in the leadership of the firm, boost morale, and engender hopefulness for the future.
HALLMARKS OF AN EFFECTIVE SUCCESSION PLANNING STRATEGY

The best laid schemes o’ mice an’ men / Gang aft a-gley.
-Robert Burns

Even in 18th Century Scottish, Burns’ meaning is clear – even the best plans can fail. What is also clear, yet won’t be found in Burns’ poem, is any counsel to skip on the planning altogether. One will find no counsel from Burns or anyone else to simply avoid planning for the future because the plans may not work out. In fact, military leaders have for centuries followed the adage that “Prior Planning Prevents Piss Poor Performance.” (Burns was never so eloquent.) To prepare for succession within your firm, you create the best strategy you can and when it goes “a-gley,” you adjust your plan. There are a variety of articles and website posts out there which provide guidance and insight into preparing an effective law firm succession plan, and all agree that certain aspects must be taken into consideration. An effective law firm succession strategy includes dealing with partners’ roles and responsibilities, developing new leadership, transitioning clients and internal expertise to the next generation, and addressing compensation and retirement.

In order to have a plan for younger attorney-leaders to succeed seasoned attorney-leaders who retire, depart, or simply need to be replaced, there must be clearly defined roles and responsibilities for the senior partners. One cannot succeed another in a role if that role and its duties and responsibilities are not defined. By doing so, the firm creates a blueprint for carrying success forward as each partner will know and understand what is expected of them and younger leaders will have the framework for progression into the senior roles. This also identifies the critical roles in the firm and defines the skills required to effectively perform in those roles. However, the senior leadership must also be encouraged to mentor and develop the younger leaders and to recognize when the time has come to pass on their client relationships, their accumulated expertise, and their control.

New leadership development is the crux of succession. It requires active participation of senior leaders and cannot merely be left to occur intrinsically (i.e. “when the time comes, she’ll step up”). Prospective leaders with the skill sets to match the critical roles in the firm must be identified from within the ranks of junior partners and associates, and those persons identified should be matched with leaders in those roles to establish a matrix of future leaders in those roles. There are a multitude of methods that firms can use to develop their next generation of leaders, such as:

- Creating sub-leadership or “shadow” leader positions. If your firm has a managing partner, it should also have an assistant managing partner or a younger partner who shadows, or works directly with, the managing partner on a daily basis;

- Requiring mentoring of younger attorneys to continue past the attorney’s first year or two with the firm. Having lunch and drinks with a senior partner and a client is great, but younger attorneys identified as future leaders in the firm should be made protégés, allowing for the transfer of expertise and the introduction into community and industry groups;

- Providing leadership training and development to younger attorneys who are identified as potential future leaders. As attorneys, we often focus on our CLE requirements, business development training, and nuts-and-bolts legal skills, but training on leadership, management, and communication should also be considered;

- Bringing future leaders to the decision making table. If a firm has a management committee, younger partners should be given a seat on the committee or on sub-committees not only to learn what goes into the firm’s management and decision-making process, but also to have a voice in their firm’s future.
These suggestions for development of future leaders in the firm are not novel approaches, but they do require focus and action on the part of the firm and its senior leaders. “Leading by example” is simply insufficient; developing future leaders takes action.

To encourage and provide for a winning succession plan, firms must consider new approaches or changes to its pay and incentive programs that promotes senior partners entering their final years to cede power (and money) to younger partners. Most law firms reward partners who bring in clients and money, but this becomes a disincentive to retirement or stepping aside. As senior partners get closer to retirement, they should be rewarded for developing younger partners and connecting them with new clients, for mentoring younger partners in current client relationships and firm leadership roles, for delegating their work to younger attorneys and staff, and for bringing in less revenue and allowing others to handle their clients. Effective retirement and compensation planning will help to accomplish the firm’s succession planning goals.

Planning, mentoring, and development of the next generation of firm leadership would all be for naught without planning for successful transition of clients from one generation to the next. If a successful relationship with a client has been created, developed, and nurtured over the years, it is a good bet that the client is loyal to the firm and the partner responsible for the client relationship. Unless a law firm really fails a client somehow or demands an unjustifiable rate increase out of the blue, a client will, generally speaking, stick with the firm. However, the departure of the senior partner in charge of the client relationship or the failure to address the need for a change in the client relationship partner when the partner becomes no longer effective can provide a client the excuse to go shopping for new counsel. Thus, preparation for client succession within the firm must be a constant and ongoing process. Some considerations for handling the transition of clients from one generation to the next are:

- Clients are concerned about the stability of the firm and its counsel, so keep the client involved in and informed of succession plans;
- Keep the firm client-focused. Doing so will ensure that client concerns and feedback are incorporated into planning for the future;
- Prepare for the retirement or departure of your contact at the client’s company or business so that the new client contact won’t consider bringing in a new lawyer when they transition into the role;
- Prioritize the clients on whom you spend the most planning time and effort – not all clients are equally valuable to the firm;
- Have a broad stable of attorneys working with each client so that adjustments can be made in the succession plans based upon performance and development of relationships with younger attorneys;
- Give younger lawyers direct access to the clients to build confidence and trust in the younger attorneys. Clients will stick with relationships, not firm names, and if the only attorney with whom the client has developed a relationship leaves, so might the client.

The best succession plans take time to develop and to work through the inevitable hiccups, and often succession planning seems to conflict with the day-to-day operation of the firm and the urgencies of revenue, billable hours, and client needs. However, a firm that promotes and undertakes succession planning, taking into account these key considerations, will ensure the sustainability and success of the firm as leadership passes from one generation to the next.
COMMON MISTAKES TO AVOID IN SUCCESSION PLANNING

The past is where you learned the lesson. The future is where you apply the lesson.

- Unknown

It would be easy to say, simply, that the common mistakes to avoid in succession planning boil down to not following the guidelines set forth in this chapter. While that would be one, highly accurate, way of putting it, as human beings we process information affirmatively, rather than through inverse extrapolation. We prefer to be given the rules (“do this, don’t do that”) in clear fashion. With that in mind, here are some common mistakes that law firms should be aware of and avoid when engaging in succession planning:

- Not planning for the inevitable retirement or unexpected departure of the lions of the firm. Even when the senior partners, who bring in the most revenue or manage relationships with the most important clients, say they are going to work forever, this is not true. And even if they want to work to their last breath, they may simply not be effective after a certain point (or their last breath may come sooner than they think!) and will need to be replaced.

- Waiting too long to plan. Unlike fine wines, succession planning does not get better the longer you wait to uncork it. Succession planning involves many people, complexities, and personalities, and may take some time to work through and develop. Waiting until the last minute may result in plans that are haphazard or not well thought out and may leave key considerations out of the decision-making process. Moreover, new leaders must be identified, selected, mentored and developed to step into roles with greater responsibility, and this takes time as well. We have all had the experience of forgetting an important date (anniversary, birthday, etc.) of a family member and having to rush at the last minute to make dinner reservations, plans, or to buy a gift, with disastrous results. Do not let this be your model for succession planning in your firm.

- Overlooking the interconnectedness of succession planning. Succession planning is not an isolated concept, but rather is part-and-parcel of a firm’s overall long-term strategic plan. Selecting new leaders as part of a plan is merely one piece within the larger plan for the firm’s growth and sustainability. A thoughtfully constructed succession plan, effectively communicated to the firm, will also boost the confidence of the firm’s attorneys and staff in the strength and continued viability of the firm. Succession planning is not just about picking new leaders for the firm, it is about projecting confidence and stability to those inside and outside the firm.

- Not preparing clients for transition. Because clients are also concerned about the long-term stability of its law firm, clients must be included in succession planning. Clients should be consulted on the issue of succession on a continuing basis and their input and feedback included in the planning, and clients should be informed of the firm’s decisions on succession. Most people do not like or adjust well to sudden, unexpected change, and our clients are no different – if clients are involved in the succession discussion, changes that occur as a result of retirement or other departure will not be disconcerting, rather they will be seamless. The goal of any law firm is to get and maintain clients, and thoughtful, orderly succession planning that includes client input is one way to accomplish this.

The year 2016 marked 70 years since World War II ended and the baby boom began, and those “Baby Boomers” born in the years following the war are reaching the end of their work life. The attorneys who founded or expanded what are now major law firms are retiring or otherwise departing these firms and, without proper succession planning, will take their knowledge, expertise, earning power, and client relationships with them. Law firms must take the time and make the effort to develop an over-arching strategy for retirement and succession from first generation to second generation leadership, keeping in mind the needs of the firm and of the firm’s clients.
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The secret to successful lawyer leadership

BY LIAM J. MONTGOMERY

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Did you miss the class on leadership in law school? There probably wasn’t one. And at most law schools, leadership lessons are, at best, an afterthought. Yet, from virtually the day we pass the bar exam, lawyers must lead teams: first staff, then younger lawyers, then case teams, and ultimately, perhaps, entire law firms or offices, large or small.

Feedback should be Rule No. 1 for any leader. Research consistently shows that the most powerful motivator in any organization is the opportunity to learn, to grow in responsibility, to contribute to a group effort or cause and to have their leaders recognize them for those contributions. Lawyer-leaders often are so caught up in billable hours, salaries and bonuses that they lose sight of these fundamental precepts: People who feel good about their work produce results and are hungry to learn from their leaders so they can continue to improve and grow.

So what does good feedback look like? You have to catch your people doing something right. You have to praise them immediately and publicly. You have to put your praise in context for how it helped some larger effort at your organization. For example, how it helped a case team win a summary judgment motion or how it improved the way the office delivers some critical service. And when your people fall short, you have to address it constructively with them: immediately, privately and in person.

Two contrasting scenarios illustrate these principles. The first is from my time flying F-14 Tomcats in the Navy. Just after 9/11, my air wing conducted a multiweek exercise to prepare for a deployment we knew would find us flying combat missions in Afghanistan. My commanding officer put me in charge of a crucial training exercise and, to put it mildly, I screwed it up.

When we were alone after the flight, my skipper let me know how far I had fallen short in specific, concrete terms. Then, we went over every detail of the flight: what went right, what went wrong and how we would fix it for next time. I never screwed up a flight like that again—at least not to that extent. And that was the last time I heard about this misstep from my CO.

Contrast this with a scene that plays out in law firms—in fact, likely in all organizations, legal or otherwise—all the time. A mid-level associate walks into a partner’s office to receive her annual review. She feels great about the year, having heard nothing but positive feedback. The review largely reflects that, with positive reviews nearly across the board.
But there is one exception: A partner who had worked with the associate told the review committee that nine months earlier, she had not met his expectations on a case—expectations, by the way, that the partner had never communicated to her in the first place. The associate left stunned and angry. Without this essential feedback, she never had the chance to fix theproblem and improve.

Embedded in these two contrasting anecdotes are everything a lawyer-leader needs to know about the power and pitfalls of feedback:

**PRAISE IN PUBLIC, CRITIQUE IN PRIVATE**

My CO waited until we were alone before he looked me in the eye and told me I had fallen short of his expectations. During the debrief with the other aircrew, although he communicated learning points with brutal honesty, he was careful to praise me for what I had done right during the flight in front of everyone else, too. In contrast, the associate’s negative review went to the entire partnership before the associate ever heard about it.

**STATE YOUR EXPECTATIONS**

Feedback must follow from clear, up-front expectations. You cannot give feedback based on expectations you never set. My CO had briefed our flight in detail before we took off, so when I screwed up, I knew I had not met the expectations he had set for me. The law firm partner assumed the associate knew his unstated expectations and held her responsible for not meeting them.

**BE CLEAR, DIRECT AND IMMEDIATE**

My CO gave me feedback as soon as we were safely on deck, so that I could do something about it from the moment it happened, and he stated it in clear terms. During our flight debrief, we derived concrete learning points that I could apply in every flight after that. The law firm feedback was secondhand and nine months after the fact.

**PROVIDE REGULAR INPUT**
Feedback absolutely, positively must never wait until an annual review. Annual reviews can be valuable discussions of how someone is progressing toward promotion and advancement. But that person should never hear something in an annual review—whether positive or constructive—that he or she did not hear soon after it happened.

Constructive feedback is just as important as praise—perhaps more so. People thrive and grow when you give them the feedback necessary to course correct. But it must be in private, result from clear expectations, be immediate and be constructive.

Find the person as soon as you can and do it in person. Start by asking questions of the person to spark their own introspection: How did you think that hearing went? What did you think of the redline edit to your draft? Guide them to the constructive lesson you want them to take from the experience, and be clear and specific for how they can improve.

Tell them your true view of their performance, but emphasize its tie only to this specific shortfall. Then, end on a positive. Rarely (read: never) is a performance an unvarnished failure. Point out a success, reaffirm how well you think of them generally (which you should have been telling them all along) and emphasize that you have moved on from the feedback and that they should, too. Healthy organizations are grudge-free.

Remember, people want (and need) feedback, no matter their position. Never forget the countless people working behind the scenes at your organization: Much like the mechanics who kept the airplanes in my squadron flying, the staff at your organization is the engine that drives it forward. That is true regarding both direct support—like your paralegals and assistants—and indirect support, such as kitchen staff, office services, library staff or accounting and human resources—to name just a few. In fact, effective feedback to your staff can be as simple as information about what you are doing and why they are important to you achieving it. They will feel more invested in your mission and, hopefully, more satisfied by their jobs.

Finally, feedback must be directed most of all back to yourself. As with any aspect of leadership, humility and authenticity are key to feedback. Be introspective and give yourself the honest feedback you may be getting less often as you move up the ranks. But also seek out 360-degree feedback by asking your people how you are doing. If you are hearing nothing, then you have not empowered your people to tell you things you need—but may not want—to hear.

Effective feedback is the lubricant of healthy organizations. With it, your organization will thrive. People will feel recognized and part of something larger than themselves. And they will course correct when they fall off track. Without it,
resentments will fester, people will be ineffective and they will vote with their feet. Praise in public and critique in private and do it based on clear expectations, immediately and concretely. When it is over, move on. Your people will thank you for it. Your organization will thrive on it.

Liam J. Montgomery flew F-14 Tomcats in the U.S. Navy for more than 11 years before leaving the military to attend law school. He is a partner at Williams & Connolly, where he has practiced for more than 10 years. Follow his musings on leadership and management on Twitter (@lawyer_leader) and LinkedIn and through #lawyerleadership on both.

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