

From Lawyer to Manager: Essential Skills for Managing Attorneys

by Anna Farber Conrad, with contributions from Elizabeth A. Weishaupl

As lawyers approach partnership status at a firm, they frequently are given greater levels of responsibility in firm management, including serving as a department or group supervisor. Despite the important role supervisors and managers play in the workings of law firms, firms often fail to train new supervisors or give them guidance regarding management methods or techniques. Management of firm resources, including employees, is vital in controlling the bottom line costs of any business. Training in this aspect of law firm management is critical in maintaining a business's solvency.

Developing a few key skills can help the supervising attorney optimize associate productivity, assimilate the new associate quickly into the firm, and create associates who may stay with the firm for many years. This article provides tips and techniques for three essential management skills needed for attorneys who supervise others: (1) giving feedback; (2) coaching; and (3) delegating.

Effective Feedback

Communicating well and providing constructive counsel are essential skills for legal professionals. However, we frequently fall short in using these skills to manage our own employees. Most associate attorneys likely are unfamiliar with the logistics of practicing law and may be unfamiliar with the law firm culture into which they were hired. Coherent, effective feedback by management is critical for productive development of the associate. Here are a few tips to follow when giving feedback to a new associate.

Be Specific

➤ Base feedback only on what you observed.

Ineffective: "You asked too many open-ended questions during the deposition."

Effective: "You asked, 'What did you see when you opened the door?'"

Feedback must be direct and relate to a specific action. Using an exact quote or example will provide a solid, credible basis for the feedback.

Be Constructive

➤ Avoid personal attacks.

Ineffective: "This brief is poorly written and organized. Are you sure you graduated from law school?"

Effective: "You included all of the facts to support your argument. With some reorganization, your brief will win over the court."

The purpose of feedback is to comment on specific behavior, change it where it is clearly inappropriate, and improve and encourage it when it is headed in the right direction—not to belittle the associate and make him or her feel insignificant and incapable.

Be Timely

➤ Determine the appropriate time and place to give feedback.

Ineffective: Stopping a deposition to explain to the associate how to ask a question differently.

Effective: Providing the guidance as soon as possible after the proceeding has concluded (and not within earshot of the client or others).

Making it a practice to spend time with the associate during a recess in a deposition, client meeting, hearing, or trial will allow the associate a chance to correct the behavior. It also will provide an immediate opportunity to use the new skill.

Be Wise

➤ Explain why something needs to be done a certain way.

Ineffective: "Just do it the way I told you to and stop asking so many questions."



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Effective: “I have worked with opposing counsel for years. I know she will offer rebuttal on that issue, which is why I think we should rethink this strategy.”

Most lawyers are intellectually curious and many are drawn to the practice of law because law firms are learning organizations. A good law firm supervisor fosters this curiosity and uses it as a foundation on which to build a skill base that will be effective in future tasks and cases.

Be Clear

➤ Confirm expectations of the work product.

Ineffective: “I’ll take a look at it when you are finished writing the motion.”

Effective: “Here is an example of a similar motion the firm did in another case. Take a look at it, and let’s discuss any questions you have later this afternoon before you start writing.”

Does the lawyer know exactly what he or she is expected to do? What may appear to be a performance issue may be a misunderstanding of what is expected. Encourage associates to ask questions or request suggestions and examples. Show the new lawyer the successful work product from the firm. Let him or her know what questions should have been asked during a deposition. Many young attorneys may be too embarrassed to ask for an example.

Be Concise

➤ Focus feedback on two or three areas.

Ineffective: Overwhelming the associate with a legal pad full of areas that require improvement.

Effective: Pointing out to the associate a few specific areas that need improvement, including possible methods for achieving improvement goals.

Feedback should be a tool to build the skills of the recipient. If too many areas of weakness are critiqued at once, the recipient may feel overwhelmed and deflated. Focusing on two or three key areas for development will provide a good guide for the associate.

Current leadership theory recognizes the importance of building strengths, often overshadowing the need to fix every area of perceived weakness. Although you may not be able to ignore major opportunities for development—such as poor negotiation skills or lack of legal knowledge—building on the associate’s strengths may go further in retaining and engaging associates than dwelling on incidental weaknesses.

Efficient Coaching of New Attorneys

The practice of law cannot be learned simply by reading a manual. The practice of law is a craft that requires an apprenticeship period. Many new lawyers may think they were sprung “fully formed” from law school. However, established and successful lawyers readily will admit that they learned much of the practice of law from seasoned, experienced attorneys.

The days of law being an apprentice career are not over; we just do not acknowledge how much we really learn from seasoned attorneys. In an era of “high billables,” taking the time to coach and mentor others may seem a costly endeavor. However, many law practice skills can be developed through an efficient transfer of knowledge from an experienced attorney to an apprentice associate.

Often, lawyers are promoted for their knowledge of the law or their ability to build client relationships. The fastest and most effective way to transfer this knowledge is through coaching. Coaching is an ongoing process that focuses on providing behavior change over time. Coaching takes time and effort, and requires a trusting relationship between the coach and the associate. In addition to applying the techniques listed in the “Effective Feedback” section above, there are several elements that will help make coaching sessions more efficient.

➤ **Determine when to meet.** Will you meet when questions arise, or will you schedule meetings at recurring times and dates? The associate should be responsible for scheduling the sessions, because he or she is accountable for his or her own development. However, a good coach knows that a strong suggestion to meet before the associate “hits a wall” may be necessary, such as when an important client meeting or trial deadline is approaching.

➤ **Determine the parameters of the coaching sessions.** Will you simply discuss matters specifically related to the associate’s workload and the work of the firm, or will discussions extend to the associate’s career development? Coaching topics can be limitless and may include thriving in the firm’s culture, interpersonal skills, legal analysis, client support, and almost any other obstacle associates face.

➤ **Determine the level of confidentiality.** During the first meeting, establish whether what is discussed will be shared or whether it will remain confidential between the coach and the associate. If the associate assumes the sessions are confidential, he or she may feel betrayed, for example, to learn that he or she is being discussed at staff meetings.

➤ **Hold each other accountable for commitments.** Changing behavior can be difficult. Sometimes knowing that someone else will hold you to your promises will motivate change.

Productive Delegating

It may take longer to explain something to an associate than it takes for the experienced attorney to perform the task. However, when the associate learns to perform a task the correct way from the start—receiving effective feedback along the way—he or she gains confidence and begins to build the knowledge and skill base to perform similar tasks in the future with progressively less supervision.

Delegation also shows trust and respect for the associate. Drafting a simple will or motion may be something the senior attorney can do in a short amount of time, but allowing the associate to draft the will or motion suggests confidence in his or her abilities.

A recent conversation with a second-year associate at a major law firm serves as an example of a missed delegation opportunity. The associate expressed her frustration at being relegated solely to document review. She sees the benefits of learning the law by reviewing documents, but feels her skills are not being efficiently tapped. Tasking her with drafting a simple motion or a set of interrogatories, or involving her in a client meeting, would increase her engagement in her primary responsibility. Such delegation of the work also may keep her from seeking employment at another firm that would offer greater learning opportunities.

Most lawyers enjoy autonomy. However, this trait, combined with the need to get things done correctly and swiftly, often gets in the way of identifying tasks that can be delegated. One way to approach the matter is to keep a record of all the tasks performed in a

day, and then to delegate those tasks that are important but not urgent. This allows time for reviewing the associate's performance and for providing feedback before any deadlines. Additional tips for effective delegation are listed below.

➤ **Be clear.** To be productive, delegation requires open, clear communication. Confirm the associate understands the assignment and the anticipated output of the task. Remaining open to questions throughout the process will go a long way toward successful completion of the task.

➤ **Be focused.** Clearly identify constraints and boundaries of responsibility and expectations of the associate. Avoid surprising the associate with new information or expectations after delegating.

➤ **Schedule feedback.** Agree on a schedule of checkpoints at which you will review project progress. Coaching skills are important here; the associate will need focus and guidance. The associate may even be able to provide insights to the tasks that the supervisor had not considered. The associate may be hesitant to ask for further guidance or clarification, but may need it. Identifying key checkpoints at which both the supervisor and the associate can confer and take stock of the situation is vital to a positive end result.

➤ **Be a teacher and share examples.** When delegating a project, it may be helpful to show the associate the final version of a similar

project. The sample may go a long way toward explaining what is expected. For example, if the associate attorney is tasked with creating a set of interrogatories, provide interrogatories that were drafted for a previous case. Templates are used as a regular course of business in the practice of law—very few legal problems require us to reinvent the wheel.

Conclusion

Many attorneys find themselves in supervisory roles without having received adequate leadership training. However, such skills are essential to the success of a law practice. At a time when associate attrition is more than 50 percent,¹ incorporating feedback, coaching, and delegation skills into the law firm culture is in the best interests of law firm management. These skills will fundamentally increase productivity of the newer associates, effectively train them to be better attorneys, and decrease associate attrition.

Note

1. National Association for Law Placement, "Keeping the Keepers II: Mobility and Management of Associates," Executive Summary, available at www.nalpfoundation.org/webmodules/articles/anmviewer.asp?a=89. ■