



## **Law Firm Leadership: The Audacity of Being Above Average**

July 2008

By David Freeman

Too many of our firms are filled with frustration: frustration with leadership, frustration with followership, and frustration with fellowship. One source of this irritation is the disconnect between the boundless potential of high-achieving lawyers and the suffocating constraints of the firms in which they work. Some of the best and brightest minds in our society, people with exceptionally high values and aspirations, find themselves stuck in firms that fail to meet their lofty standards.

### **The Reasons for Average**

For most lawyers, this trade-off was not a conscious choice. It is the unintended byproduct of a profession that confines its lawyers to prisons of bureaucracy, internal politics, dysfunctional interpersonal relationships, inefficient systems, and ineffective leadership. It is heartbreaking to see people who expect so much from themselves and others toiling in environments that perpetuate underachievement.

Why does this dynamic exist? One source of friction comes from the lawyer personality. Law firms are filled with independent-minded, non-collaborative people who are required to interact with similarly anti-social creatures. Another source is the stranglehold of the billable hour, a master that demands income today at the expense of investing in tomorrow. Unsatisfactory performance also stems from leaders who choose to ignore problems. "It's the price to pay for making money," they often say. Given all these factors, is it any surprise associates and partners are on the move, looking for greener pastures?

Some leaders actually believe they're doing well when in fact they're not. To illustrate, in a study conducted by *InsideCounsel* magazine, lawyers and clients were asked to rate levels of client satisfaction. Fifty-two percent of the lawyers felt they were delivering at an "A" level; only 21% of clients agreed. When asked if client satisfaction was improving, 68% of the lawyers thought so, while only 32% of clients concurred. Clearly, we are not very good at judging our own performance.

### **Just Say No**

We don't have to accept our current state as an immutable condition. With some time, focus, energy, and planning, we can do better. First, we need to learn to say no. We need to say no to long-standing feuds between partners that, to paraphrase the words of columnist Thomas Friedman,

“cause the past to bury the future.” In one firm, a 30-year dispute between two partners resulted in their respective practice groups moving to separate floors. The legacy left by their short-sighted behavior is that the two groups rarely interact with each other.

We also must say no to inefficient systems that drain productivity, no to methods of billing that do not match client needs (*e.g.*, billable hours vs. fixed fees), and no to turf issues that get in the way of successful cross-selling. To illustrate, a partner in a large southern firm wanted to make a presentation to another complementary practice group for cross-selling purposes. The group, however, didn't conduct meetings. When he asked why this was so, he learned that some partners couldn't get along with each other, so rather than address the issue, they chose not to meet at all. Can you say baby and bathwater? The lesson here is that leaders should honestly ask themselves, “If we built this firm from scratch today, what would we keep and what would we discard?” The answers may shock you.

### **How to Rise Above Average**

*“The speed of the pack is determined by the rate of the leader”* — Emerson

As a leader, you set the tone. You influence the cultural microclimate of the people around you. Think through your role in making your group a high performing group. Do you create an environment people want to be a part of, or do you allow a mediocre standard of performance? Are you investing there sources needed to make the members of your group better every year?

Realizing you can't radically change lawyer personalities, make the billable hour disappear overnight, or significantly reduce tension over how your people allocate their time, let's not set the bar exceptionally high. Just start by aspiring to achieve something above your average performance. Above average will stand out.

To keep your people engaged, opt for evolution over revolution. Incremental change will reduce friction during the ascent. Going for too much, too soon, will trigger a backlash that will doom you to failure. The following are some major areas to consider in your quest to harness the restless potential that lives in your groups.

Find the people within your people. Does this sound soft and fluffy? Perhaps, but since we are in the people business, we need to create an environment that provides greater meaning and fulfillment. The problem is that many firms inadvertently suck the life out of their lawyers and staff. To rise above average, learn what's important to the members of your group and help them achieve their dreams. Remember those who helped you succeed, and return that favor to others. People give more of themselves to leaders who truly care about their personal success.

Build systems that hum. Law firms have suffered from a curse for many years. It made us forget we're actually in a business, and that we have to abide by fundamental rules. One rule — make

money — has been achieved. This curse of plenty, however, has shifted our attention away from the need to run our firms efficiently and effectively. This curse obscures flaws like operating as solos, poor teamwork across practice groups, compensation systems that don't support strategic goals, failure to properly support new laterals, long lag times in collections, duplication our efforts, and forgetting to follow-up on promising new business leads. The job of a leader is to remove kinks in the system so your people can thrive.

Demand a maniacal focus on the client. Look around you, study the firms that are winning new business and attracting great laterals, and you'll witness the power of ever-increasing levels of service. The eye of the tiger for progressive firms is an unflinching obsession to make the attorney-client (and attorney-attorney) relationship an exceptional experience. It goes way beyond the mere delivery of legal services. It is about making the client feel they are the most important person in the world. Leaders that can inculcate a passion for service in their groups will reap significant rewards.

Many say a major reason the Boston Celtics had the biggest win-loss turnaround in league history and won the World Championship this year is due to the work ethic and extremely high standards brought to the team by player Kevin Garnett. As a leader, how can you raise the games of those around you? How can you build better systems, develop and retain great lawyers, and attract top clients? I challenge you to have the audacity rise above the status quo. I challenge you to make your group a place that live s up to expectations. The members of your firm, your clients, and you, deserve nothing less.

---

**David H. Freeman, J.D.**, a member of this newsletter's Board of Editors, is a former lawyer from New York, CEO of the David Freeman Consulting Group, and an internationally known professional in leadership training and coaching, business development training and coaching, and retreats. He can be reached at 303-448-0757 or [dfreeman@davidfreemanconsulting.com](mailto:dfreeman@davidfreemanconsulting.com).

Reprinted with permission of Incisive Media *Marketing the Law Firm*,  
Volume 22, Number 3, July 2008  
[www.ljnonline.com](http://www.ljnonline.com) © Copyright 2008