

Definitely Mabey

Engaged lawyers are better lawyers

Given the daily barrage of articles, newsletters and periodicals there is little room to doubt the competitive marketplace law firms find themselves in today. Textbooks, consultants, and other great prognosticators tell us the essence of winning in a competitive marketplace is being in the right place before the right time.



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To do this, firms must either develop a “breakout innovation”—development effort that goes beyond new and improved into the realm of very different or self-re-inventing—or “performance innovation”—improve already established services or processes by adding new features, improving quality, reducing delivery times, or enhancing support services.

Either type of innovation requires a high level of engagement by your lawyers.

There is a story that goes something like this: A group of villagers is weaving a basket together. A wise man walks by and asks them what they are doing. The first says, “I am pushing one straw against another.” The second says, “I am making a basket.” The third answers, “I’m helping a family carry food to feed the family.” *The last villager was engaged.*

The Institute for Employment Studies in a 2003 study defined engagement as: “a positive attitude held by the employee towards the organization and its values. An engaged employee is aware of business context, and works with colleagues to improve performance within the job for the benefit of the organization. The organization must work to develop and nurture engagement, which requires a two-way relationship between employer and employee.”

So we are on the same page, I would define engagement for a law firm as the willingness of its lawyers to go beyond the call of duty to contribute to the firm’s success. It is equally important to understand what engagement is not, and that is simple satisfaction.

We all know lawyers who are satisfied but spend no time thinking about the clients or firm before 9 a.m. or after 5 p.m.—satisfied yes—engaged no (please note I didn’t say they had to be at the office or working on a specific matter)!

The benefits of engagement are simple but direct and include:

- higher productivity
- higher efficiency
- client satisfaction
- lawyer retention
- attracting talent
- improved morale

Lawyer engagement starts at the top. You need leaders who understand the keys to engagement and must be both

Lawyers who are engaged greatly outperform their peers.

Assessing the level of lawyer engagement in your firm is not rocket science. It can be done by a few simple observations about:

- whether they volunteer for tasks beyond the practice of law;
- their willingness to put forward ideas and suggestions;
- their un-induced willing collaboration with others; and
- their passion or pull to come to the office.

committed to and active in the creation of an engaging environment. Your firm's leaders have to be coaches.

So how do you ensure your firm offers an environment that engages its lawyers? The following are just a few ways to create such an environment:

1. Approach each lawyer as a source of unique knowledge with something valuable to contribute to the firm.
2. Make sure the lawyers have everything they need to do their jobs. Simply ask each lawyer, "Do you have everything you need to be as good as you can be?"
3. Clearly communicate what's expected of the lawyers—what the firm's values and visions are, and how the firm defines success.
4. Get to know your lawyers, especially their goals, their stressors, what excites them, and how they each define success. Show an interest in their well-being and let them know that you will do what it takes (within reason) to enable them to feel fulfilled and balanced.
5. Make sure they are well trained in the critical skills that will help them interact and better communicate with their colleagues, clients, and the staff.
6. Constantly ask how you are doing in your lawyers' eyes and be sure to accept feedback graciously and to express appreciation.
7. Stay away from participating in discussions that are destructive to individual lawyers or the firm, and keep success stories alive.
8. Make sure lawyers are laughing with, and not at, each other.
9. Reward and recognize lawyers in ways that are meaningful to them and make sure you celebrate both accomplishments and efforts.
10. There's a connection between a lawyer's commitment to an initiative and the firm's commitment to supporting it. Lawyers are exhausted and exasperated from "program du jour" initiatives that engage their passion and then fizzle out when the firm drops it because there is no short-term payback.

One absolutely critical prerequisite for maintaining an environment that fosters engagement is that you deal promptly with disengaged lawyers.

Lawyer engagement starts at the top. You need leaders who understand the keys to engagement and must be both committed to and active in the creation of an engaging environment. Your firm's leaders have to be coaches. Firms are well served to invest in training their leadership team in the art of engagement.

One absolutely critical prerequisite for maintaining an environment that fosters engagement is that you deal promptly with disengaged lawyers. Speak to them to understand the root causes of concern and evaluate what, if anything, can be done to make changes to re-engage them. But deal with them.

Keeping disengaged lawyers in the medium- to long-term is costly not only in terms of morale and productivity but also in management time and attention. If managers' time is taken by working on the disengaged, who is working to engage the others?

Until next month, remember, as Samuel Coleridge is alleged to have said:

"Nothing great was ever achieved without enthusiasm."

Comments or Questions?

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