The Leadership Playbook for

Thriving Post-Pandemic

This leadership playbook lays out the rules of the game and essential plays for using this historic moment of change as a springboard to a better experience.
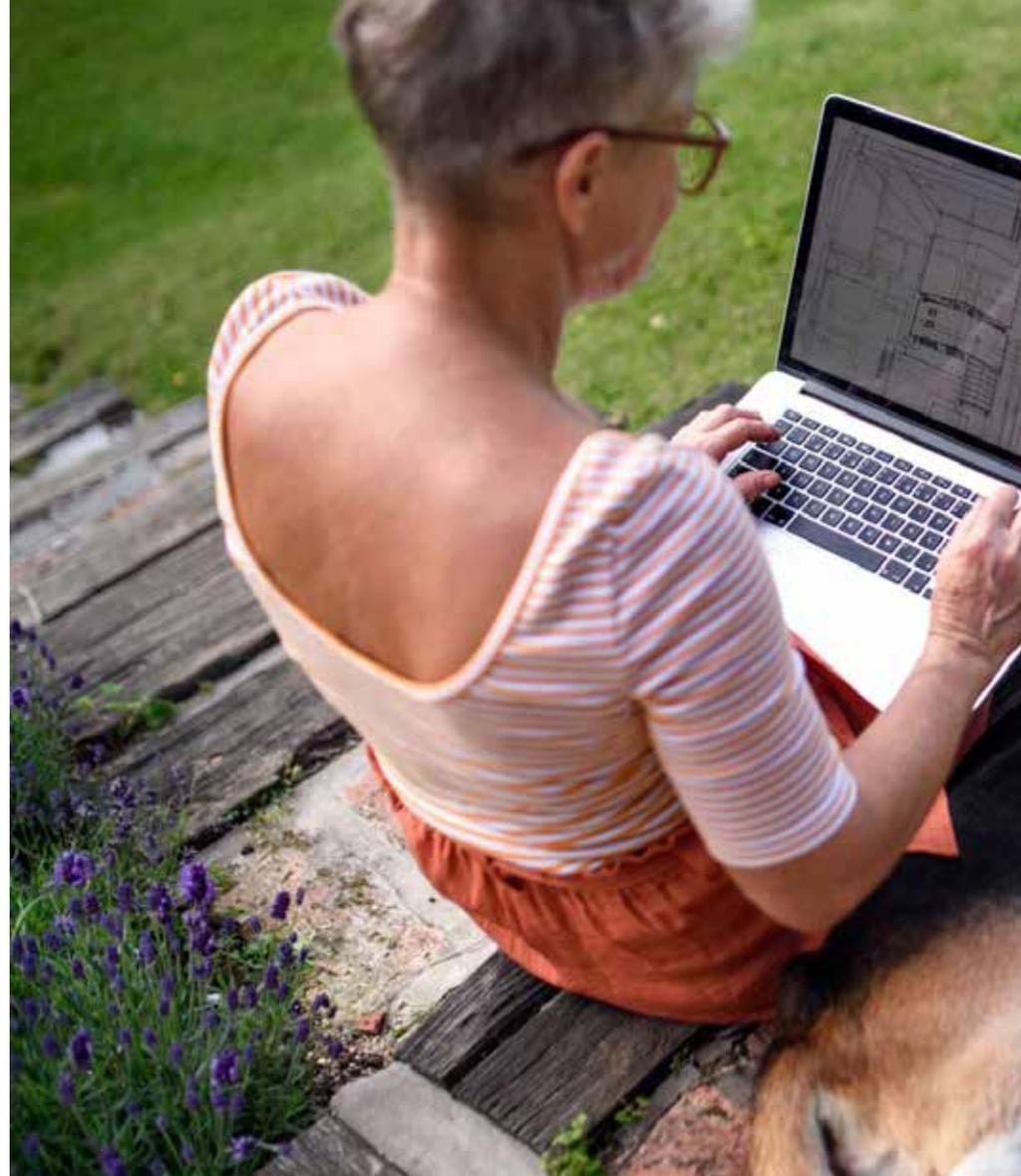
By Anne E. Collier

Imagine a firm in which kindness is a core value. This firm does indeed exist. Clients appreciate and comment on the kindness that the firm's people showed them, especially during the pandemic. The firm has great lawyers and staff. It has excellent retention but is selective, and people like working together. This firm is extremely profitable, had its best year ever in 2020, and continues its upward trajectory. Would it surprise you that it was the firm's pre-pandemic prioritization of culture that resulted in its ability to successfully weather the pandemic? The firm initiated its own rebirth of sorts.

We are in a historic moment of change. Some might liken it to the Renaissance following the Dark Ages. We know it. We feel it. We want it. This leadership playbook lays out the rules of the game and essential plays for using this moment as a springboard to a better experience, replete with innovation and excitement whether your firm was enlightened pre-pandemic or is just now coming to the realization that there is a better way to practice law.

THE BACKDROP

Before the pandemic hit, many law firms found themselves struggling with culture. Some didn't even know it. The work was getting done, frustrations were "normal," and everyone was rocking along just fine. Or were they? Law firm partners are lawyers first and managers a distant second. In fact, law firm partners' "management skills" typically consist of doling out assignments to the more junior associates, often by email and without sufficient guidance. Professional development staff often must remind partners to spend a modest 30 minutes a month to provide meaningful feedback to associates.

Partners are stressed as they juggle their considerable responsibilities and often are perceived as "scary," which then begs the question: How can a scary "manager" be effective? To be sure, there are partners who walk the walk of true collaboration, and mentoring and developing junior lawyers, but the reality of most law firm cultures is that even for the best intentioned, the demands of the practice make the focus on people seem unsustainable, which means that mentoring, training and teamwork suffer.

THE PANDEMIC HITS

Then, the pandemic hit us. Lawyers experienced the pandemic differently. Some—generally the more senior—have enjoyed working from their comfortable homes. Their children are older, more independent and may not be living at home. They appreciate the short commute and have plenty of space to work with ease.

The Millennials have had mixed experiences. Some Millennials need to go to the office because they have young children. Others need to stay home because they have young children. Some without children love the flexibility of working at home and don't want to return to the office. Others miss seeing colleagues in the office and struggle to learn how to lawyer from late-night email instructions and the rare five-minute call in between partners' nonstop client calls. They may be lonely because they live alone, or trying to work in cramped quarters with a roommate or significant other close by.

Most of us are struggling to some degree. As wellness and mental health challenges proliferate, law firm leaders contemplate how to get in front of the problem. While they may be telling themselves that there's nothing wrong with remote working and

Culture is the underlying personality and collective emotionality of the firm as determined by how people work together.

that "it" will all be better when things return to "normal," it's not that simple.

Even if a person made it through the pandemic relatively unscathed, the pandemic has been traumatic, but not like a car wreck. Instead, the pandemic's trauma is a slow boil. As a worldwide phenomenon, we are like frogs in pot of cool water, relatively comfortable as the temperature increases slowly over time, until unbeknownst to us, we're cooked, or at least partially so. Add to that the actual and fear of loss of friends, family and livelihood, and the intensity of a difficult political year and social unrest. We are far from whom we were prior to the pandemic. Don't take it the wrong way; this moment is brimming with opportunity precisely because we have changed and are paying attention to different things.

Houston, We Have a Problem

For over a year, law firm leaders have been operating under the illusion that they need to figure out how to maintain the office-based culture in the new virtual world. This begs several questions before even getting to "how" to maintain culture. What is the culture? Is culture important? Is the culture worth maintaining? Will we ever go back to the old normal? Shaken to the core, leaders who are paying attention struggle to identify the levers that control culture before answering these basic questions.

Culture is not about SOPs for approval of business-development expenditures, onboarding procedures or HR processes. Culture is the underlying personality and collective emotionality of the firm as determined by how people work together,

how they treat each other and how comfortable people are being themselves. Culture includes the extent to which a firm's senior lawyers are successfully supported and junior lawyers are learning. Culture depends on the leadership structure. More to the point, how leaders treat colleagues determines culture and then becomes part of the culture—informing others about how they can treat those with less power. Unless interrupted, culture is self-perpetuating.

It's on this backdrop that law firm leaders considering culture can clarify for themselves the reasons culture is important. While some leaders don't believe culture affects the bottom line and is therefore irrelevant, others see the possibility of a culture that is driven by positive values and supports wellness as *better* in all regards.

Advice to the enlightened trying to convince the skeptical: Wellness does affect the bottom line, in addition to having people-centric "soft" benefits some so easily dismiss. Consider that well lawyers can concentrate because they aren't anxious or on edge. Well lawyers are more creative, and more likely to deliver excellent and timely service. Well lawyers don't overreact or take things personally. Wellness is deceptively pervasive, operating under the waterline, affecting everyone and everything. Wellness is intricately intertwined with culture, and in addition to having personal benefits, wellness determines retention of both associates and partners, how well trained your associates become, whether and how well partners share work, and whether more senior lawyers hoard work because they need billable hours or strive to bring associates and junior partners along.

Furthermore, systems and their consequent incentives and disincentives affect behavior, collaboration and the pressures partners feel to act in a certain way. Thus, in addition to the personal aspect of how partners treat each other, the impersonal

systems can have either a positive or negative effect on culture. Every strategy has consequences, which may require additional solutions.

Maximize the Value of Diversity by Minimizing Problem B

Consider the value of culture through the lens of Dr. Michael J. Kirton's work. Kirton was a renowned behavioral expert who studied the impact of different problem-solving styles on collaboration. Kirton aptly described the workplace as having two types of problems: Problem A and Problem B. At a law firm, Problem A is the practice of law. Problem B is friction arising from colleagues with different work styles unwittingly annoying each other as they go about solving Problem A in their preferred style. When we expand that to include generational, racial, socioeconomic and other differences and needs, we have a lot of Problem B.

Kirton's point is that if you don't address Problem B, you spend more energy triaging Problem B than on solving Problem A. Firms that have figured out how to minimize Problem B—that is the challenge of being diverse in all its forms not the diversity itself—actually *use* diversity to better solve a broader range of Problem As (client problems). These firms have an advantage over other firms because they avoid myopic thinking; they are more successful. These firms also prove to be better places to work for a broader range of people, leading to greater recruiting success and better retention rates. Oh yes, and the bottom line is better too.

It's not clear which aspects of pre-pandemic culture persist or are even desirable to carry into the future. What is clear is that culture is like a garden; it can be beautiful, lush and thriving but only through intentional creation. Also like a garden, neglect leaves culture wild, barren and unfruitful. Creating a culture in which everyone thrives isn't by happenstance. Leaders, ask yourself,

Culture is like a garden; it can be beautiful, lush and thriving but only through intentional creation.

what kind of a gardener do you aspire to be?

Upgrade Your Personal Operating System as a Leader

To the leaders who are committed to being thoughtful gardeners, let's upgrade your personal operating system. The "upgrade" presents an opportunity to lead at an extraordinary level. It's not about doing more. In fact, it may be about doing less, and it is most certainly about thinking more intentionally and acting based on a thoughtfully and objectively conceived plan.

The upgrade is the shift from operating out of fear to operating with the kind of objectivity that leads to superpower confidence in the face of uncertainty (see "Superpower Confidence Without Certainty" in the September/October 2020 issue of *Law Practice*). It is operating from a place of strength. The conundrum is discerning whether your thoughts are influenced by fear or objectivity. The humble truth is that we cannot believe everything we think. And yet we do. Thus, the upgrade to a personal operating system demands taking

an objective view of one's own thinking. This is metacognition—the awareness of one's own thought processes. It requires considering whether one's understanding of the "facts" is true, and whether one's analysis of those facts is unbiased and grounded. Leaders, you wouldn't just accept another's assessment without critical probing and pressure testing. Now it's time to apply those same instincts and skills to your own thinking. You know how to do this—you do it every day.

To hone your metacognitive skills, consider the work of the late David McClelland. McClelland, named one of the 100 most eminent psychologists of the 20th century by the American Psychological Association, was an expert on human motivation. He identified three motive needs: achievement, affiliation and power. We all have these needs, regardless of race, gender, age or national origin.

Carl Jung, a renowned psychoanalyst, was the first to identify fear-driven thinking as part of a person's "shadow." The fears that are an ingrained part of the human experience are the exaggerated and negative flip side of the three motive needs that McClelland identified. We all

have these fears and operate from a place of fear at times. There's no shame in this. Rather, operating out of fear is merely what keeps us alive by heightening our reactivity. Thankfully, we are not running from the saber-toothed tiger anymore, even though it can feel that way at times.

Our choice in this moment of opportunity is to eschew fears and embrace deep thinking about the challenges and how to achieve the desired outcome. Makes sense, right? The problem is that our vigilance has been conditioned over thousands of years, and it's hard and maybe even seems foolish to ignore a warning that has literally kept us alive. Paradoxically, to create the culture we want, we must do just that. Tables 1, 2 and 3 lay out the motive needs, strengths when you are at your best, and the corresponding fears or shadow-side and typical behaviors when you are fear driven and at your worst. Dr. William Sparks, who combined the forgoing concepts into a robust leadership framework more fully described in his book *Actualized Leadership: Meeting Your Shadow & Maximizing Your Potential*, provides a short-form version leadership assessment for determining primary leadership style and predominant motive need at www.alpfree.com/arudia/.

The optimal choice between leading from a place of strength or fear is obvious. However, the difficulty is not in making the choice; it's in effectuating the choice because our fears are so entrenched. When a person is fear driven, they believe the fear is justified and that they are acting appropriately. Unfortunately, actions informed by fear cause the very undesired result the person seeks to avoid. In his book *Man's Search for Meaning*, Dr. Viktor Frankl, a psychiatrist, philosopher and Holocaust survivor, referred to this as paradoxical intention.

An example of paradoxical intent is a person who chafes against lack of control and becomes impatient, pushing harder for results. The paradox is that the person's actions actually undermine the team's ability to function, delaying or derailing results. To avoid the paradox, we need to be able to recognize and call out our fears to prevent them from surreptitiously hijacking the way we think, feel and act. We can nurture this capacity by evaluating ourselves against the descriptors in Table 2 describing the Asserter Leadership Style to determine whether we're working from a place of strength or fear. Acting from strength requires vulnerability, humility and a willingness to take responsibility for ourselves, including our thinking. Doing so empowers you as a leader and is the upgrade to your personal operating system. Guaranteed, with this upgrade you will be a more confident, capable, strategic and thoughtful leader. You will be a true leader. This is exciting!

Table 1: Achiever Leadership Style

At Your Best: Place of Strength	At Your Worst: Fear Based
Motive Need = Achievement	Shadow = Fear of Failure
Behavior	Behavior
Detailed	Nitpicking
Organized	Micromanaging
Structured	Critical
Thorough	Pessimistic
Serious	Rigid

Table 2: Asserter Leadership Style

At Your Best: Place of Strength	At Your Worst: Fear Based
Motive Need = Power	Shadow = Fear of Betrayal
Behavior	Behavior
Candid	Impatient
Courageous	Condescending
Decisive	Intolerant
Confident	Rude
Competitive	Manipulative

Table 3: Affirmer Leadership Style

At Your Best: Place of Strength	At Your Worst: Fear Based
Motive Need = Affiliation	Shadow = Fear of Rejection
Behavior	Behavior
Friendly	Sensitive
Generous	Insecure
Loyal	Anxious
Empathetic	Conflict Avoidant
Helpful	Indecisive

21 Plays To Uplevel Your Leadership Game

These 21 leadership plays will help you use this moment as springboard to a better personal experience of being a leader as you nurture a culture in which clients are successfully served by thriving and innovative people.

Who Are You Being?

1. Be objective about yourself. Leaders must recognize that like other humans, they have strengths and weaknesses. If you are not honest with yourself about yourself, you risk overdoing your strengths and being defensive about your weaknesses. You risk not reaching out to colleagues when necessary. Two (or more) heads *really are* better than one.

2. **Embrace a problem-solving mindset.** Embracing a problem-solving mindset is essential to nurturing a desired culture. In fact, the best cultures adopt a problem-solving mindset. They eschew blame in favor of solutions, learning and growth.

3. **Derive power from your self-awareness.** Being self-aware and accepting yourself means you can give up trying to impress or be someone you aren't. By embracing your leadership style, you avoid the stress, inauthenticity, defensiveness and a host of other counterproductive behaviors. While every leader can learn techniques from others, Gallup makes a pretty strong case for leading from your strengths. See Rath, Tom (2009). *Strengths Based Leadership: Great Leaders, Teams and Why People Follow*.

4. **Don't succumb to fear of failure.** The motive need "achievement" is about winning through technical expertise, something with which lawyers are quite familiar. The corresponding fear of failure is the fear that one card, removed from the house of cards, will cause disastrous results. Guided by fear, a person can be rendered ineffective, exhibiting such behaviors as micromanagement, unending criticism and excessive pessimism. You know yourself: Which behaviors resonate with you when you are not at your best? Note them, and use their presence to warn you when your thoughts are fear based and not objective. Then, choose to lead with objectivity and from a place of strength. (For more on this topic, see "Why Resonant Listening Is Essential to Thoughtful Leadership" on pg. 12.)

5. **Don't succumb to fear of betrayal.** The motive need "power" is about driving results, also something with which lawyers are quite familiar. The corresponding fear of betrayal is the fear of being betrayed or undermined or simply not having the power to drive results. The triggering of this fear can result in impatience and pushing hard to drive results, which can result in bullying and manipulative behaviors. To stay at your best, to prompt you to choose clear thinking and objectivity, identify the behaviors you notice about yourself at your worst, and heed their warning.

6. **Don't succumb to fear of rejection.** The motive need "affiliation" and its corresponding fear of rejection manifest in subtle ways. Serving clients, acquiring and building relationships with new clients, mentoring, and being appreciated all satisfy the need for affiliation. When triggered by perceived threats to the relationship, fear of rejection can result in overdone relationship-protective behaviors that annoy the very people to whom you want to be connected. To avoid this folly, identify the behaviors that serve as a warning that you are acting out of fear. Then, use this insight to choose objectivity.

What Do You Want to Create?

7. Be intentional; culture matters. Great cultures don't just happen. Many law firm leaders typically focus on business strategies, relegating culture to a distant second or third in importance. Legendary management consultant Peter Drucker is said to have remarked that "culture eats strategy for breakfast." He didn't mean that strategy is unimportant, but rather that a powerful and empowering culture is a more certain route to organizational success. Do not let culture develop as an unintentional consequence of your actions; take actions to intentionally shape and develop your culture. Consider how choices affect culture.

8. **Own the mantle of power.** Leaders have the greatest ability to influence culture, and the responsibility to do so. Recognize that how you treat colleagues, especially those with less power, either nurtures or poisons your firm's culture.

9. **Create a system that works.** Colleagues at a firm are like actors in a play, meaning that the systems in place incentivize certain behaviors as scripted. Thus, if leadership wants lawyers and staff to act differently, it must create different systems, which lead to different incentives and behaviors.

10. **Assess your culture.** It's time to take a good, hard look in the mirror. What is the firm's culture? To answer this

How Will You Do It?

12. Share information and educate. Remember to share information and educate your colleagues. Telling yourself that you don't have the time is warning you that fear of betrayal is affecting your thinking and choices. Choosing patience empowers better results.

13. Listen resonantly. Listening with resonance means listening deeply for understanding. Listen through the fear for the message, and register the fear as a message. Your colleagues possess valuable information. Listen.

14. Proactively embrace diversity. This message cannot be overstated; embrace differences as the advantage that they are. Differences make a firm strong, but only if you proactively address Problem B, the friction and misunderstandings that can result from differences. The answer to Problem B is not to require everyone to mold themselves into a particular archetype embodying success. Rather, increasing understanding, getting to know colleagues and honoring the differences dissipates fear of rejection and discomfort arising from disconnection.

15. Choose and live by trust-enhancing core values. Many firms don't deliberately create their core values. Their values happen as a consequence of billing, compensation and other structures that often lead to internal competition for clients, power and money. If instead you create a culture in which trust and the values that foster trust are lived, you create a culture in which colleagues are loyal, fulfilled and loath to let the firm, each other and clients down. They perform and deliver results. They don't waste energy on self-protective strategies. Consider what the values of kindness, mentoring, collaboration, accountability and wellness would do for your firm's culture.

16. Don't take anything personally, really. To be at your best, to be the leader you need to be to accomplish your goals, to stay empowered in the face of seemingly insurmountable challenges, you will need to amplify your objectivity in order to depersonalize complaints and criticism. The objective truth is that the complaints and criticism are not about you, even if they are directed at you. Instead, they embody important information and most likely fear. Listen, learn and lead.

17. Use coaching skills. Coaching is not refining a person's swing by telling the person what to do. Coaching, in the business context, is asking colleagues open-ended questions designed to support colleagues in doing their best thinking, developing buy-in and engaging them in the process *as you learn and gather more information.*

18. Enforce cultural norms even-handedly. Once a firm establishes a culture, it must sustain and nurture it with consistency. In a healthy culture, people understand the norms for working together and are called out when their behavior falls short. And, they are supported in making the necessary improvements.

19. Embrace accountability as an enviable value. People often wince when they hear the word "accountability." But accountability is about trusting that colleagues will do what they said they would do. Once you have accountability, if the work isn't getting done, it's time to figure out what isn't working and why. This is relatively easy in a culture that also embraces a problem-solving mindset.

20. Give credit to colleagues. As Harry Truman said, "It's amazing what you can accomplish if you do not care who gets the credit."

21. Recruit for culture fit and diversity. As the firm grows, a firm committed to maintaining its culture will recruit for both cultural fit and diversity. This may require walking away from qualified candidates.

question, ask yourself questions such as: How do people treat each other? Are those lower in the pecking order afraid of more senior lawyers? Do the transgressions of the lawyers with the biggest books of business get a free pass? Are there "politics"? Are issues addressed or avoided? Have hope; if you didn't like any of the answers, this playbook will give you tools to change it.

11. Co-create your vision. Work with your partners to create a vision of the values you desire. Depending on the size of the firm, you many need to employ survey and focus groups to secure input and buy-in. Be patient with the process because it will take time to do it right.

While the pandemic has challenged well-being and certainly has not been enjoyable, the pandemic has opened the door to the possibility of change that can serve us well. You have what it takes. Now do this. LP

Anne E. Collier, MPP, JD, PCC is the CEO of Arudia, a firm dedicated to improving culture, collaboration and communication. Collier is an expert leadership coach steadfast in her commitment to excellence and her clients' goals. She coaches and delivers programming designed to help individuals, teams and organizations amplify accomplishments, improve financial stability and achieve greater self-actualization. They perform well because they are confident, deliberate and resilient. **anne@arudia.com**