



HOW TO MOTIVATE RELUCTANT LAWYERS

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"When seriously at-risk heart patients are told by their health care practitioner that unless they radically change their habits around diet, exercise, smoking, etc. they will die...1 in 7 follows their doctor's instructions."

– Robert Kegan "Immunity to Change"

Motivation is not a lawyer problem, it's a human problem. The fact is that people are reluctant to change their behavior, regardless of their profession. That being said, when you understand the nuances specific to lawyers, you are more likely to be able to effect change at your firm. In a study conducted by Altman Weil, over 1,000 lawyers were assessed using the Caliper Profile personality test.

The following traits were identified as strongly present in people who are drawn to the practice of law:

- Practical
- Analytical
- Prudent
- Articulate
- Competitive
- Risk averse
- Detail oriented
- Anti-social
- Educated
- Hard-working
- Impatient
- Results oriented
- Seek efficiency and economy
- Can be perceived as brusque or as poor listeners
- Prefer to approach challenges on their own time and terms
- Believe that only lawyers truly understand them
- Reluctant to try new things, especially if likelihood of failure is high
- Reluctant to show vulnerability
- Rely on existing relationships rather than seek new ones
- Prefer intellectual connection over emotional

At first glance, this list does not bode well for anyone in my line of work. Firms engage my programs to train rainmakers, and practice development requires patience, sociability, and a willingness to take risks. These traits are fairly uncommon among lawyers. But over the years I have learned that the best way to get results-oriented, risk-averse intellectuals to jump head-first into any activity is to play to their strengths. If your team is

made of up lawyers, don't try to change the players. Change the game.

Let's look at the first five characteristics again:

- Practical
- Analytical
- Prudent
- Articulate
- Competitive

These strengths can be leveraged for a business development plan that has a higher likelihood of being implemented and a better chance at yielding meaningful results. The following strategies focus on the top five characteristics. Use or augment them as needed to motivate your lawyers more effectively.

1. TRAIT: PRACTICAL

Strategy: Play to Their Strengths

Not all business development activities are well-suited to every lawyer. An introvert might prefer to author a substantive article whereas her extroverted partner might prefer to present CLE. Match the tactic to the lawyer's personality so that they can operate within their comfort zone.

Extrovert

- Group networking
- Panel discussions and CLE Presentations
- Social dinners
- Media interviews

Introvert

- One-on-one networking
- Writing articles or blogs
- Social media
- Analyze client needs and propose solutions that cross-sell the firm's services

There is no guarantee that an extrovert will be drawn to the activities in the first column or an introvert to those in the second. The point is that the lawyer should consider the activity that matches their natural talents and level of comfort so that their approach is effective.

2. TRAIT: ANALYTICAL

Strategy: Use Data to Prove Outcomes

Because of their risk-averse nature, lawyers often rely on evidence and precedents to make decisions. They prefer empirical data and indisputable facts over hunches and theories, so appeal to their analytical side. For the skeptical lawyer who doesn't like the uncertain results of business development, consider sharing the following ratio, developed from interviews with hundreds of lawyers:

The Referral>Meeting>Matter>Revenue Ratio

Example:

1 Matter = Average of \$50,000 Revenue

3 Meetings = 1 Matter

5 Referrals = 3 Meetings

Given these numbers, a lawyer seeking to originate \$50,000 of revenue will require at least 5 referrals; \$200,000 will require at least 20 referrals; and \$1,000,000 of revenue will require at least 100 referrals.

The formula should be adjusted according to a given lawyer's practice area and effectiveness with prospective clients, but it demonstrates to the analytical lawyer that, in order to reach their monetary goal, they will need X more referrals than they currently generate. Once they realize this, they will be more likely to spend their non-billable time on networking, CLE presentations, article writing, and the other tactics listed earlier.

3. TRAIT: PRUDENT

Strategy: Tie Business Development to Monetary Incentives

Lawyers at all levels are motivated by money. Sure, they are motivated by other things too, but in my experience, business development initiatives fail when firms expect their lawyers to originate without reaping some of the benefits personally. If the comp system at the firm does not reward originators with some sort of bonus (especially at a non-equity level), a prudent lawyer will likely use that as a reason to forestall business development altogether.

Strategy: Let Them Say "No" So They Can Get to "Yes"

For the most part, lawyers are conservative decision-makers. They don't want to buy the latest technology or hire the new vendor; they want solutions that have been battle tested and that their competitors have already vetted. The cutting edge is, well, too close to the edge for most lawyers. They would prefer to do what they have always done, because it is most likely to produce predictable results. This puts any law firm professional in a challenging position when it comes to suggesting an improvement that might require a new strategy, behavior, or technology.

But consider this:

"No" is not a final statement. It simply means "no, for now." Of course your lawyers will debate and disregard your ideas - it's how they process new information. And when they reject an idea, you can leave the door open with a response such as, "I can respect that this is the wrong time to implement this idea. Let's table it until circumstances have changed." This statement allows your lawyers to

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maintain control and allows you to plant the seed for future discussion and exploration of your idea. It may take a while, but if you exercise patience and persistence, your lawyers will eventually come around.

4. TRAIT: ARTICULATE

Strategy: Change Language to Change Culture

Consider the language at your law firm. Are the lawyers condescending to their staff? Do they refer to the secretaries as "the help," or to the professionals as "non-lawyers?" Do they give themselves permission to raise their voice or act in some other unprofessional way when they are upset? Are they dismissive or hurtful to colleagues or subordinates when it comes time for feedback? This behavior can lead to the kind of toxic culture that is not uncommon at a law firm. But culture improves when damaging words or phrases are deemed "off-limits." Think about it, our society has made great strides toward equality by shunning the use of racial and sexist terms over the years. Even derogatory lawyer jokes are less common than they once were. So examine the language used at your office and ask yourself what kind of culture it is fostering. If it isn't one of inclusiveness, respect, and gratitude, it might be time to introduce a new lexicon.

5. TRAIT: COMPETITIVE

Strategy: Award Early Adopters

If there is one thing lawyers care about, it's how they are perceived by other lawyers. Everyone at a law firm knows about everyone else's status, title, and position - and where they rank compared to their colleagues. So, use formal, public acknowledgement to elevate the status of those who excel in any new initiative. The praise can take the form of a formal endorsement from the managing partner or an award that acknowledges burgeoning leadership. Sure, the other lawyers may roll their eyes and pretend they don't care but many of them will secretly wish they were the ones receiving the recognition (and strive a little harder to earn it in the future).

Strategy: Establish Champions

Find a champion for every new initiative - someone who really believes in it and who the other lawyers respect and want to emulate. Once they see this lawyer adopting the new way of thinking or behaving, they will take it more seriously and that will greatly increase the chances of its adoption at your firm.

Strategy: Use Technology to Measure and Report Comparative Progress

When we launched our first iteration of our business development tracking software (Practice Pipeline), we found

that lawyer adoption of the product was embarrassingly low. Then, we added one feature that changed everything: A statistic at the top of the screen that assigned a Procrastination Score to each lawyer. This score showed lawyers how far behind they were in their business development pursuits compared to the firm-wide average for the same metric (comparing them to their colleagues). Software adoption increased to over 50% almost immediately.

The fact is, because most lawyers are competitive, they don't want to feel like they are falling behind the curve. And there is nothing like a friendly challenge (and maybe some bragging rights) to motivate performance.

So, when you present new ideas in your firm, keep in mind that your audience is practical, analytical, prudent, articulate, and competitive. Leverage these traits to motivate your attorneys to perform better and increase buy-in on firm initiatives. Given their ingrained resistance to change, your lawyers need your perspective to stay relevant and up-to-date. ■

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About David: David Ackert is a pioneer in the intersection of business development coaching and technology. He is the founder of Practice Boomers, a leading e-learning platform for law firms, and the winner of Your Honor Awards in both the US and Canada for excellence in practice development. He is also the founder of Practice Pipeline, the prospecting platform recently profiled in Strategies magazine.

David has written for and contributed to articles in publications including the Los Angeles Times, The National Review, the Daily Journal, the Attorney Journal, the Wall Street Journal, Attorney At Work, The Recorder, Voice America, and the Los Angeles Business Journal. He is a frequent speaker at law firms and trade conferences including Raindance, ABA, ALA, and numerous regional and National LMA conferences. He is a guest lecturer at USC's Marshall School of Business, Carnegie Mellon University, and the UCLA School of Law.