

How Smart Lawyers Squander Talent, and How to Get It Back Again

by Susan Ann Koenig

I felt a deep disappointment when I realized that even after more than 35 years in my career I was missing the mark in one of my most deeply-held intentions as a lawyer: disappointment that I didn't realize some simple ways to be a better mentor, leader, and coach. I didn't realize that, too often, I had been what author Liz Wiseman calls an "accidental diminisher."

From the law students I taught as an adjunct to the attorneys at our firm, I have always enjoyed supporting others in their professional development. What Wiseman taught me in her book *Multipliers: How the Best Leaders Make Everyone Smarter* is how I had unintentionally held others back through my own behavior.

For most of the first half of my career, I was a solo practitioner. I was the person who made the decisions, had the knowledge (or thought I did), and was responsible for new ideas. I was the answer finder, the problem solver, and the ultimate decider. Years of being in this role gave me a degree of confidence that I was capable. It also blinded me to the possibility that others might be, too.

As the competency of a lawyer becomes more recognized, to herself or to others, her responsibility grows along with the workload. The more successful a lawyer becomes, the more she realizes she can't advance in her career without developing others.

Solos, in-house counsel, government lawyers and those in global firms eventually find themselves relying upon others to fulfill the mission of the organization. Unfortunately, law school did not teach us how to maximize the talent of others. As a result, we are vulnerable to failing in the empowering of others so we can all achieve greater success.

Here's what can happen:

1. ***We think we know it all.*** Admit it. You're smart. When you were growing up, people probably told you so. Then you got accepted to law school. Then you managed to pass the bar and declare yourself a lawyer. Then you got a job where your day is filled with the expectation that you have the answer for your clients. Is it any wonder you think you're supposed to know it all?

The problem: When we think we're supposed to know it all, we don't give others the chance to know something or to learn something because we already have the answer. We cut off discussion of ideas.

The result: We deprive others of the chance to develop confidence that they have something to contribute and that they have answers, too. They continue to come to us for answers rather than gaining knowledge and skills through their own experience.

The smarter choice: Resist the urge to share what you know. Replace your brilliant answer with questions like "What will it take for us to get there?" "How will you overcome the

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obstacles?" "What support will be useful?" "What will that get you?" Become a debate maker rather than a decision maker, or simply step away and let some other smart person go to work finding the best answer.

2. **We expect perfection.** We have high standards. High standards are what got us to where we are. When others don't measure up to those standards, we have the thought, "It's easier to do it myself." "I don't have the time to explain where they screwed up." "I'm at a deadline so I'll just fix it myself."

The problem: Perfection is a myth. We forget that there was a time when we had to do things for the first time, when we made mistakes, when we needed a teacher.

The result: We hoard projects or grumble as we clean up the mistakes made by others. Our workload burgeons while others who could support us never develop the skills needed to share the work. We continue to think we're brilliant and they're incompetent.

The smarter choice: Invest in developing others, allowing them to take risks and to learn from both experience and mistakes. Stop cleaning up the messes made by others. Do you remember a time in your life when you were less than perfect? Right.

3. **We want the glory.** A certain amount of ego strength is needed to survive in a profession that can be challenging, competitive, and full of unpredictability. But when our ego expands to the point where we always have to be the one getting the credit, we hold on to the part of a matter that ensures we get the glory for any good outcome.

The problem: When we covet the credit, we tend to cling on to client work tightly or assign only a portion of a project without giving the full context. We later complain, "That wasn't what I wanted!"

The result: When we fail to set others up for success or we insist upon being the ones who reap all the rewards, others are either unable or uninspired to give their best.

The smarter choice: Share as much of the entire project as you can. Acknowledge with enthusiasm and watch the most talented people ask how they can get on your team.

4. **We talk too soon.** Most lawyers are introverts. Introverts often prefer to chew on ideas and to think them over internally before sharing them with others. If the senior partner boldly asserts the solution to a problem at the start of a conversation, what are the prospects that the first-year associate is going to share a different perspective?

The problem: In our presence, others hold back their opinions and their feedback.

The result: Those we work with don't share their suggestions for solutions to problems and their creative ideas, reaf-

firming our conclusion that they don't have anything to offer and really aren't that bright.

The smarter choice: Be the last person in the conversation to share your opinion. While encouraging rigorous debate, shift from the "I'm right/You're wrong" conversation to being curious about the great questions and great ideas that others bring. If someone else shares the good idea you were holding in mind, acknowledge them and lend your support. Next time they'll be encouraged to contribute even more.

5. **We micromanage.** Lawyers are sometimes accused of being condescending. Often oblivious to how we are being, we talk too much and needlessly interfere with another person's work on a project.

The problem: We waste time and energy on the team as we overexplain, assuming that the listener is not capable, or we attempt to control every aspect of delegated work.

The result: People feel dumber, not smarter.

The smarter choice: Set high expectations, give a starting point, and identify the benchmarks of success along the way that you'll celebrate together.

6. **We tolerate prima donnas and ignore other talent.** When an individual attorney takes on the role of being the star, an organization is at risk for tolerating his or her bad behaviors while at the same time ignoring the genius of others.

The problem: The top biller or chief rainmaker is allowed to bully the new associates while no one invests in mentoring the lawyers who are eager to learn and grow. The "chosen ones" bring down the entire organization and others either languish or leave.

The result: A culture of resignation grows, attorneys jump ship to find an environment where they can both grow and be appreciated, and the firm loses its chance at a greater future.

The smarter choice: Insist on high standards no matter where the attorney is in the firm hierarchy. Look for talent in everyone in the office from the receptionist to the firm administrator. When you find it, show that you value it.

7. **We get addicted to our work.** Whether by a longstanding tradition in our profession or the cultures in which we work, many of us have an unhealthy relationship to our work. We find our self-worth by the billable hour or the size of our paycheck. If we work less, we think less.

The problem: We keep the work to keep feeling good about ourselves while we deprive others of opportunities and the chance to bring more value.

The result: While we work our way to burnout, others don't grow to their full potential.

The smarter choice: Resist the urge to always be the first to respond to a group email. Pause for a moment before vol-

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unteering to lead the next project. Take a few moments and instead of giving the answer, spend the time reflecting on how you can be a better multiplier.

If you are like me and you recognize yourself in some of the ways we miss out on the talent of others, take heart. Even those

of us who are deeply committed to serving our clients well and to the success of others on our team can be an accidental diminisher at times. If you find a copy of this article on your desk someday, it may be that someone on your team is inviting you to take your own talent as a multiplier to the next level. 



NEBRASKA
State Bar Association

The NSBA Family Law Section presents

2017 Annual Family Law Seminar

Thursday, May 18, 2017 • 8:30 am - 4:30 pm

Embassy Suites - La Vista • 12520 Westport Pkwy, La Vista, NE 68128

****Also available for viewing via live webcast.****

***Nebraska MCLE #138509. 6.25 CLE hours, including 1 hour ethics. (Regular/live)**

***Iowa MCLE #256210. 6.5 CLE hours, including 1 hour ethics. (Regular/live)**

***Nebraska MCLE #138507. 6.25 CLE hours, including 1 hour ethics. (Distance learning)**

Only 5 distance learning CLE hours may be claimed per year for Nebraska.

***Iowa MCLE #256211. 6.5 CLE hours, including 1 hour ethics. (Distance learning)**

8:00 am Registration

8:30 am Welcome and Introduction

8:35 am Parental Alienation

Dr. Amy Baker, Ph.D, PAS Expert

Dr. Baker will discuss the latest diagnostic developments regarding parental alienation, why the court should intervene, and what can be done when alienation is identified. Dr. Baker is the leading expert on this subject and will be providing information that can be used by attorneys, mental health professionals and judges.

10:35 am Break

10:50 am Ethics in the Courtroom - A Judicial View

*Hon. John Samson, Washington County District Court;
Hon. Shelly Stratman, Douglas County District Court; and
Hon. Rachel Daugherty, Hamilton County District Court*

The judges will discuss ethical issues that arise in their courtrooms, what attorneys can do to avoid ethical pitfalls, and common ethical missteps from a judge's perspective.

11:50 am Lunch (included with your registration)

12:40 pm Emotional Abuse Topics in Family Law Explained

Dr. Amy Baker

Attendees will gain a deeper understanding of emotional abuse, with a focus on how this impacts families and children in the context of divorce and custody.

1:40 pm Using Tax Returns to Determine Income for Farmers and Small Business Owners

Reed Sampson, CPA, Lutz & Company, PC

Reed Sampson will provide practical tips for utilizing tax returns to help determine income available for purposes of determining child support and alimony. The focus will be on farming income and small business income and how to interpret those specific tax returns and schedules.

2:40 pm Break

3:00 pm Top Ten Tax Tips for 2017

John Ballew, Jr., Ballew Covalt Hazen, PC LLO

John will be discussing the top tax issues that every divorce lawyer should know, including the latest changes and developments impacting divorce decrees and settlement agreements.

3:45 pm Case Law Update

Adam Astley, Slowiaczek Albers & Astley, PC, LLO

Adam will cover the latest need-to-know cases for Nebraska family law practitioners.

4:30 pm Reception

Sponsored by the NSBA Family Law Section