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## Enhance Associates' Success by Managing Conditioned Responses

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At times we respond inappropriately to challenging situations, as if our reactions to these uncomfortable circumstances are encoded in our DNA. Sometimes we are either so paralyzed that we cannot function or so confident that we react when it suits us. Other times, we respond in anger, blaming those we believe are at fault and resolving to yell or bully our way out of the situation. We may also act like victims, retreating into our corners and hoping all blows over quickly. These conditioned responses rob us of our effectiveness and prevent us from advancing as firm leaders.

How do we break these conditioned cycles and reprogram ourselves to act more constructively? We first need to acknowledge that we are predisposed to acting unsuccessfully in key stressful situations. Next we examine why and when we respond as we do. We then consciously shift to a more productive behaviour before we find ourselves slipping into our default response. We act effectively and proactively to make ourselves better leaders.

What about your firm's associates? What are their conditioned responses when confronted with challenging or uncomfortable situations? When and why do they respond as they do? How can you help them shift to a more functional behaviour before they slip into their default responses? With active mentorship and coaching, you can help your associates act effectively and develop into better leaders.

Habitual responses quickly turn into behavioral practices. Too frequently, inappropriate conditioned responses escalate to bad habits due to frequency of use and lack of awareness. What can be done? By examining these common practices, we will see the importance of recognizing and shifting conditioned responses that stand in the way of our attorneys' success.

### THE CHALLENGED DELEGATOR

*Conditioned Responses:* Challenged delegators are reluctant to delegate. They believe it will take longer to explain what the assignment is than to do it themselves. Associates at times feel victimized when told to delegate as they are worried about maintaining their hours. If they delegate work, they need to find other work to do. Challenged delegators may also be challenged time managers and put off doing work: too frequently non-urgent assignments become urgent crises simply because time has run out. They can be inefficient or poor communicators: they don't have the know-how or patience to provide the big picture to others and, instead, provide instructions without context.

*Behavioral Practices:* Bad delegators quickly earn poor reputations at their firms. With the word out that these attorneys make others' lives miserable through poor communication, rash decisions and/or time constraints, they will find themselves avoided. Junior associates will not respond to their phone or email requests. Senior practitioners will be loathe to put them on their files. Administrative staff will find excuses not to be available. Challenged delegators will be viewed as liabilities. Client relationship lawyers may fear higher client costs or write-offs and will not willingly put their clients or themselves at risk.

*Action Plans:* Challenged delegators are usually very smart and capable practitioners, or they wouldn't have work that needed to be delegated. Helping them understand the benefits of delegation for themselves, their juniors and their clients will help them work more efficiently. Before dealing with these associates, partners should be collecting information and finding answers so as to better assist these associates succeed: Assigning lawyers/mentors can help determine if these associates require more work. How well do these associates communicate? To determine their communication effectiveness, partners can check in with juniors and secretarial managers/assistants to uncover any communication practice irregularities and/or issues involving subordinates. With regards to potential time management issues, partners can review their timesheets and speak to billing lawyers on associates' files to assess their effectiveness. Leadership skills, communication skills development and time management efficiencies are fixable with practice, mentoring and coaching. Providing these associates with this assistance will convert poor behaviors to thriving habits.

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## THE INEFFECTIVE LISTENER

*Conditioned Responses:* Ineffective listeners only hear selectively and may not pay attention to all your instructions. Lawyers who lack good listening skills are typically poor communicators, wed to their own agendas and oblivious to the needs of others. They walk into meetings with preconceived ideas about end results and doggedly stay on rigid paths, regardless of conversation flow or directions others want to take. Ineffective listeners are adept at making all conversations about them or ignoring the messages of others. Impatience is a glaring weakness of a bad listener: Reaching their fixed conclusion blocks them from interacting effectively with others and achieving the best results. Why do these associates have problems listening?

Bad listeners can quickly jump to conclusions and do not wait until they have gathered all the necessary information. They may not understand their assignments, but are reluctant to seek clarification. Some associates are too confident to admit that they do not comprehend what needs to be done and blindly go forward without confirming they are correct. Many mask their insecurities and fear of failing with their conditioned responses. Going with one's gut can show independence and leadership. When bad listeners proceed in this manner they can display pig-headedness and bravado. They work inflexibly, then stop abruptly.

*Behavioral Practices:* Associates who are bad listeners quickly display bad judgment and bad judgment earns little trust. If they cannot earn the trust of clients and colleagues, associates are on borrowed time at their firms. Bad listeners do not advance as quickly as their peers and do not get placed on sought-after assignments. Because of their inability to listen to others, it may take a severe jolt, usual-

ly as a result of their inability to focus on others, for these associates to read the writing on the wall.

*Action Plans:* Lawyers who are ineffective listeners hurt themselves and others. They only operate in one gear: full speed ahead. These associates need to understand that, although they have been given an assignment, they are still working jointly with colleagues and clients. The valuable input that others bring to the table will not only help them resolve issues quickly, but also teach them valuable skills and develop their expertise. These associates need to learn to listen from the beginning and to pace themselves throughout the assignment.

How can you help these associates become better listeners? Provide detailed instructions and have the associates repeat them back to you before work commences. Build in checkpoints so they can follow up easily and informally. Provide precedents where appropriate. Set earlier than required deadlines, so work product can be reviewed on a timely basis (and think through your response to the "what is the real deadline?" question they will be sure to ask). Request outlines for assignments and meetings to ensure they are on the right track. Share your work practices and communication strategies with them, so they appreciate the skills required to get the right results.

## THE PROCRASTINATOR

*Conditioned Responses:* The procrastinator's conditioned response is deferral. Typically, these lawyers procrastinate because they have other things they want to do instead of the task/project at hand. They can be lazy or stubborn when it comes to certain tasks. They can underestimate how long the assignments will take or they get a rush from being able to complete assignments at the last minute. Knowing that they can usually get away with doing things at the very end, they continue to procrastinate. Procrastinators are usually smooth talkers, gregarious, fun to be around, easygoing, and seemingly busy lawyers. Associates who are procrastinators are highly skilled at pulling all-

nighters and asking for extensions. They have been refining this habit all their lives, so they thrive in crisis mode. They continuously put out fires of their own making. As they are constantly in a time-crunch, they can display all-out bursts of energy, which can become difficult to maintain as they develop and juggle more responsibilities.

*Behavioral Practices:* Associates who consistently miss deadlines and ask for extensions start to wear out their welcome with assigning and supervising lawyers. Procrastinators are usually exposed when something major goes terribly wrong on a matter: promised work does not materialize; they get caught in a lie that causes loss of trust; they miss an important client meeting. Once their secret is out, other behavioral red flags that have been flying low in the background finally add up. Associates labeled procrastinators are not provided with much latitude, as trust in their ability to meet deadlines and produce timely work always comes into question. As work product and judgment are key tickets to advancement, procrastinators find themselves sliding down a very slippery slope.

*Action Plans:* Although procrastination is a seemingly silent habit, its warning signals are very loud. Concerns should be raised when excuses exceed work product. Bells should be sounding when extensions are always needed or time sheets do not show work entries from attorneys on the file. This habit does not have to be a career killer: Procrastinators need routine and discipline. With time management coaching and tight delegation and follow-up, procrastinating associates can effectively turn this behavior around. When assigning work to a procrastinator, set very firm deadlines. These should be tighter than normally required, so as to keep them on schedule. Ensure they keep track of their time throughout the day and enter their timesheets on a daily basis.

## CONCLUSION

By reviewing the workings of the challenged delegator, the ineffective listener

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and the procrastinator has demonstrated that none of these habits develop suddenly. In fact, the opposite is true. These individuals have been fine-tuning their responses for a long time, so long they have become part of their behavior. Associates with these attributes are unaware of the negative effects their inappropriate behavior may have on themselves, their colleagues, and their clients. They do not realize how far they have missed their marks until their shortcomings are exposed by a problem on their file.

Partners, supported by effective firm management practices, can help associates manage their conditioned responses, correct their behavior, and attain success. For example, build structures into your evaluation procedures that encourage behavioural change. One effective tool is adding competencies and benchmarks to your evaluation arsenal. If delegation and communication skills figure prominently in your hierarchy of competencies, it is difficult for the inappropriate practices discussed above

to go undetected. As well, develop partner feedback training and constructive feedback processes throughout the year. Provide mentoring and coaching for all associates, regardless of level. Ensure that there are resources in place to provide associates with confidential access.

We can all manage our conditioned responses and learn how to react more appropriately in key situations. Helping others to do the same will make us more successful leaders.

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