

Is Good Enough Good Enough?

Three Key Steps in Your Communications Dance

By Debra Forman

Too frequently, you hold yourself or others back from greater accomplishments because you perform below perceived or accepted expectations. You may have the best intentions in mind and think that all is fine. However, others may have a totally different read on the situation. Not doing something how others expect it to be done or not getting the result others anticipate or assume will be had can give rise to resentment, loss of trust, and ruined relationships. The result? Instead of advancing two or more steps forward in your client relationships and personal development, you ineffectively take two unproductive and potentially damaging steps backward.

Successful communication can be likened to a flowing and seamless dance sequence; choreographed steps and unified direction defines the movement. As lawyers, you want to clearly execute your messages and ensure that they are strategically delivered, thus enabling your listeners to hear and act upon their words. When a communication falls below expected results, your listener is left feeling unsatisfied and either wanting more information, or desiring a completely differing result. In dancing, it would be equivalent to you resorting to the same “one-two-three-one-two-three” sequence, regardless of the tempo, music being played or dance skills of your partner. If you continue to stick to these basic steps, your dance partner will get very irritated by your “it’s good enough” position and will be uncertain as to how to proceed or anticipate your direction. Frustration will quickly lead to disinterest and boredom. Your dance partner will walk off the dance floor alone and will search for a new part-

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ner. Similarly in the legal workplace, having the wrong moves will thwart your effectiveness as a successful practitioner, client manager and business generator.

‘It’s GOOD ENOUGH’

How often do you block yourself from greater success by taking missteps that glaringly depict the sentiment “it’s good enough”? This self-sabotaging block is in effect when you limit your actions or reactions only to solutions that have worked for you previously or that you feel are good enough. In other words, dancing the same dance steps. You prevent yourself from identifying new and better answers, causing yourself to become complacent. You may rationalize, “I’ve done the work, I know my stuff, it is what it is.” Or, time may be a factor and with the clock not on your side you feel what you have done or have in the can is “good enough.” It is very comforting to stick with one’s successes, believing there will be no surprises, confrontations or confusions. But what happens when you stumble and success eludes you? Limiting your depth of vision can deny you opportunities and insights and rightly puts your competitive edge and creativity into question.

Bottom line: When you communicate, it is not about you, the messenger, but about your listener, the receiver of information. Understanding the driving forces affecting your clients’ responses when you present them with work or solutions that they deem to be not “good enough” will ensure that you focus on getting and perfecting the right moves.

FIRST STEP: STAY FOCUSED ON YOUR LISTENER

When you communicate, you are engaging in a thought exchange with your listener. In our dancing analogy, dancers want to be in unison going toward the same goal. When dancing, if you are not moving in the same direction, you need to rethink your moves and change your steps or your tune. Whatever your strategy, you want to remember to focus on your partners: Always being mindful to lead them where they want to be, without making them feel dizzy with a sudden or unexpected move. This analogy holds true in the legal setting regardless of what form your advocacy takes: You want to provide your

clients with solutions that have been guided by clarity and where you have centered your full attention on them, their issues of concern and their reactions to your strategies. How often in your client relations do you find yourself following these same steps?

During your communication you are focusing on yourself, not your client. Your client reacts to your message in a way you did not expect or anticipate. This reaction causes you to block yourself from moving forward. What happens? You feel that the communications you have been providing or attempting to relay were right or “good enough.” You rationalize to yourself that the problem or roadblock is not with you, but with your client. Instead, what you really need to be doing is lifting the focus off of yourself and placing it where it belongs, on your client. You need to rid yourself of any internal “white noise” that blocks you from your main intention: getting your message or solution to your listener. How can you stay focused on your listeners? Key methods include: constantly viewing your matters through your clients’ eyes; letting yourself be guided by concerns your clients harbor, or about which they should be concerned; and continuously keeping your clients and their needs within your cross-hairs. Some anchoring questions you should regularly consider: What are the main issues/facts? What do my clients want to accomplish? What concerns keep my clients up at night? What strategies are essential, dispensable, or non-starters? What risks are my clients willing to take? What else can I be doing to provide the best resolution to their matter?

SECOND STEP: CONTROL HOW YOU MARKET YOURSELF

You cannot control how people perceive you or how they receive and accept what you have to say. You can only control how you market yourself or relay your actions to others. Regardless of your best intentions, if the receivers of your messages or solutions are confused by, or

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not on board or in tune with you or your analyses, opportunities for moving forward can or will be lost. It does not matter how right you think your results are, or how confident and authoritative you feel in relaying your answers. If your end users are expecting something else or are unhappy or resentful with your proffered messages, they will not accept what you have said or provided to them. In our dance analogy, you think your next step will be to do a dip, but your dance partner reads your body language and surmises that you are going to do a waltz. There are definitely mixed messages and signals and you trip your partner. Consequently, you may no longer be trusted as a dance partner. It will not matter how effectively you thought you were directing that step, since your partner had another perception. To salvage the relationship, you will need to rethink your steps and directions so that you avoid future misreads of intent.

How does this translate to the lawyer-client tango? Your client relationships are built and developed on values that you and your clients uphold. Key values include trust, integrity, respect, achievement, clarity, professionalism and commitment. Depending on what your clients value most, these assessments will be the lens through which they view you and your accomplishments. For example, assume that key values for your clients are commitment and trust. If they view your solution as falling short, their perception of you will not be driven by trust and commitment, regardless of how trustworthy and committed you feel you are to their matter. In the end, they call it as they perceive it.

How can you shift their perception? Anchor yourself in values that will

resonate for you and all with whom you interrelate. Let your sense of accomplishment push you to dig deeper into matters when necessary. When you accomplish any goals, regardless from where the drive for completion comes, there are multiple levels of reward for achieving the end result. Be driven by a high level of achievement that knocks contentment off the table each time. Allow yourself to be committed to projects on many levels: entrusting to uphold and surpass your standards and those of others. Permit your value of clarity to enable you to always have a clear vision and provide concise and strategic analyses.

THIRD STEP: MANAGE EXPECTATIONS, YOURS AND OTHERS

Managing and meeting expectations represent instrumental components in successful communication forays. When you balance your expectations, and those of others, you manage yourself efficiently and effectively, earn and build on the trust of others, and solidify your working and business relationships. As key as they are for delivering clear messages, expectations take top honors in their role as obstacles to reaching these goals. The complexities attributed to expectations come from their very nature: an anticipation of an upcoming event. When you have an expectation it is very subjective and personal for you, one that you may not have verbalized or shared with your client.

Sometimes you assume or “expect” that your listener will share your expectation; it seems so obvious, how could they not be expecting the same things as you. And that is where the clash of interests and disappointments begin, with an assumption of shared knowledge. In our dance analogy, if your partner’s expectation is to be lifted off her feet and you want to start break dancing, you will both collide and one, or both of you, will

end up embarrassed on the floor. In your legal practice, a similar pile-up occurs when you and your client are working toward attaining your client’s goals with different expectations.

Your analysis has taken you to one conclusion and you expect your client not only to agree with your thought process, but to be delighted that you reached your conclusion. That does not happen. Your client was expecting something totally different and is disgruntled and antagonistic with your solution. You both are disappointed, frustrated and unhappy. Sadly, what had started with good intent as a promising solution has become a bad message. It wasn’t good enough.

How can you prevent your communications from taking on a life of their own, where you are, or appear to your client to be, no longer in control of your own communications? Follow up strategically with your client throughout the engagement, to prevent any surprises or missteps. Respond to your client’s correspondence and concerns in a timely and respectful fashion. Expect to receive feedback and deal with it positively, as your focus is on your client’s matter, not your ego. Be confident in your abilities and ask for comments or help. Juggle your responsibilities, pace yourself effectively and always use your judgment.

PUTTING YOUR BEST FEET FORWARD

In the end, it all comes back to you and your values for your personal success. Each step you take will bring you closer to your goals of providing clients with your best efforts. Your finale. Focusing on your listeners, controlling how you market yourself and managing expectations will not only prevent you from slipping backwards, but will end your association with the deal breaker, “it’s good enough.”



Social Media

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of the employer’s policies against unlawful harassment and discrimination.

In another recent decision, the Board also found the employer’s social media policy not unlawful. There, the employer promulgated a rule that stated:

[T]he Employer could request employees to confine their social networking to matters unrelated to the company *if necessary to ensure compliance with securities regulations and other laws*. It prohibited employees from using or disclosing confidential and/or proprietary information, including personal health information

about customers or patients, and it also prohibited employees from discussing in any form of social media “embargoed information,” such as launch and release dates and pending reorganizations. (Emphasis added).

The Board found this policy language lawful primarily because it believed

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