

## The Law Firm as a Learning Organization

■ I don't have to tell you about the changes facing our profession. Client expectations, competition, pricing structures, definition of value, a new generation of client decision makers and many other factors characterize the new normal, which is no longer new nor normal.

Twenty-five years ago, the management guru Peter Senge wrote, "The only sustainable competitive advantage is an organization's ability to learn faster than the competition." These words are no less true today, and are an imperative for professional service firms, especially law firms.

We often connect learning with the acquisition of knowledge. Lawyers (and law firms) got knowledge collection covered. We're pretty good at learning substantive stuff that applies to the practice of law and serving our clients. In fact, people and companies historically pay us a lot of money because we're good at knowing the right things at the right time.

But consider learning as the acquisition of new skills for dealing with a changing environment. How are we doing in that context? Are we nimble, able to shift priorities and strategies to meet changing market realities?

### Can we learn for change?

What do we need to learn? It is different for every firm, but here are some thoughts. We need to learn to:

- Understand our client's business in a more intimate and complex manner so that we can provide custom services that meet their business needs.
- See opportunity among the chaos; to help clients with emerging and dynamic issues.
- Re-design legal service delivery systems and price them according to how the client perceives value.
- Conduct research to develop new services that meet the current and future needs of clients. Firms such as Seyfarth Shaw, Davis Wright Tremaine, Dentons and DLA all have active R&D efforts birthing new services that we didn't see five years ago.



- Lead our groups, departments and firms with confidence and competency to develop efficient teams, both internally and with our clients.

## **Obstacles to Learning**

Learning isn't what is used to be. Recent science on how the brain works along with new insights on how we learn give us clues about how we can be more efficient and effective learners, both as individuals and organizations.

Carol Dweck, a Stanford University researcher, gave a challenging test to two groups of middle school students. After the test, one group was told, "You all did very well. You must be very smart." The other group was told, "You all did very well. You must have worked very hard." Then, both groups were given a chance to take a second challenging test. Guess which group was more likely to accept the challenge? If you guessed the group that was told they were smart, you would be wrong. The group that was told they worked hard was more likely to take on additional challenges.

Why do you think this is? Dweck, in her book, "*Mindset: The New Psychology of Success*", explains that those of us who have a "fixed mindset" believe that being smart and successful is in the hard-wiring – that the potential is fixed. The first group of students were told that they were smart (rather than worked hard). They were less likely to take on additional challenges because they were afraid that an additional test might show that they are not as smart (or successful) as first thought. Those who have a "growth mindset" believe that achievement and success is a result of our effort – that if we work hard at something we can achieve new skills and mastery. Like the students, those with a growth mindset are more open to new challenges, learning opportunities and achievement. They are not limited by the fear of failing or looking stupid. Pause for a second to think about how this might apply to your firm.

The reality is, we all have areas of our life that are "fixed" and "growth" mindsets. The amazing thing is that, if we reflect on it, we can decide to change our mindset, and open up opportunities for learning new skills and understanding.

Along those lines, Edward D. Hess, professor at the Darden Graduate School of Business and author of the book, *Learn or Die: Using Science to Build a Leading-Edge Learning Organization*, highlights how having a big ego gets in the way of individual and organizational learning. After reviewing numerous credible studies on what makes a high performance organization, he concluded that the best organizations have "humble, passionate leaders."

Hess claims that jobs in the future, "involve higher-order cognitive and emotional skills that technology can't replicate, like critical thinking, innovation, creativity, and emotionally engaging with other humans. All of those skills have one thing in common: they are enabled by humility." Sound like law firms?

For the skeptics, he asks, "Have you ever met someone with a big ego who was really good at being open-minded? Really good at reflective listening? At putting himself in another's shoes? At playing well with others? At saying, 'I don't know,'" "Your idea is better than mine," or "You are right"? I didn't think so."

The fear of being seen as being wrong, or stupid, or a failure, gets in our way of trying new things, learning new skills and being the entrepreneurial problem-solver that our clients and firms needs.

### **How do we drive out fear and become better at learning?**

1. Leaders must focus on creating a culture of learning. Leaders model the maxim, “fight the competition, not each other” and drive out fear of trying new things. They reward and recognize efforts to innovate, even if it doesn’t work out exactly they way they expected. Leaders must champion the entrepreneurs and risk takers and help them learn quickly and efficiently. They allow people to make mistakes and help the organization learn from them.
2. Encourage a growth mindset at all levels of the firm. What would work be like if we admitted that we are all constantly learning new things and that learning is a messy process? We might be more willing to mentor and coach each other, across traditional boundaries such as age or position. We might be more proactive to share resources and knowledge. We might be more willing to invite people with diverse backgrounds and experience to participate in new ventures. We might be slower to judge and quicker to encourage others.
3. Make feedback OK. One of the most powerful tools to increase the effectiveness of a team is to skillfully give and receive feedback. Feedback allows people and teams to self-correct and learn quicker. Feedback is both positive and constructive; we need both. The model we teach at the Center for Creative Leadership is the SBI model. Effective feedback explains the:
  - a. Situation – describe the context, time, date and who was involved in the situation.
  - b. Behavior – describe are the factual details of the behavior that you are giving feedback on, without judgment or emotion.
  - c. Impact – on you and others as a result of the behavior. How it made you feel, how it affected the team performance or tangible results.
4. Tame your ego. Practice humility. Stop letting fear drive your decisions. Give yourself permission to fail while learning new things. Put yourself in others shoes. Suspend judgment so that you can learn from the situation and from others.
5. Flip formal training. At hourly rates in the hundreds (or thousands) of dollars, it is very expensive for firms to have attorneys to sit in windowless conference room and listen to someone drone on and on and on. Firms (and corporations) are increasingly leveraging technology to help professionals gain new skills, insights and knowledge. Firms need to create learning sites that are accessible 24/7 that provide not only articles, videos and other resources, but also the opportunity for participants to share their experience and perspectives.

Live training sessions then can be used for high-value experiential learning, role-playing

and skill development that is difficult to replicate online.

Firms are increasingly using coaching (internal and external) to help individuals and teams apply formal training in daily practice. Coaching has been proven to dramatically reduce the learning curve and move individuals and teams into a higher level of performance.

Some innovative firms are mixing training with client service and business development by inviting clients to join them in courses on project management, process improvement, leadership development and innovation. Can you imagine the relationships, teamwork and loyalty built between legal professionals and clients by learning together?

So, what can you do to make your team, department or firm more of a learning organization? What are some of the things you need to learn? How will you make risk taking and failure part of the process? What would be it be like if you all agreed to give positive and constructive feedback? I'm confident that if take the steps to learn, you will have a distinct competitive advantage.

---

Mark Beese is president of Leadership for Lawyers LLC, a consultancy focused on helping lawyers become better leaders. He is a Legal Marketing Association Hall of Fame Inductee and a Fellow of the College of Law Practice Management. Mark is chair of the Lawyer Leader Task Force of the ABA Law Practice Division. He is also an adjunct faculty member at the Center for Creative Leadership and the Sturm College of Law at the University of Denver.

[mark@leadershipforlawyers.com](mailto:mark@leadershipforlawyers.com)

[www.leadershipforlawyers.com](http://www.leadershipforlawyers.com)

Copyright 2015. All rights reserved.