

SOFT SKILLS FOR LAWYERS

By Giuseppe Giusti



**Chelsea Publishing
London**

Are you sure that during law school you have developed all the skills you need to become a successful lawyer?

What about, for example, how you are going to behave in the office and what rules of etiquette you should follow when dealing with partners, associates, trainees and clients?

Every senior lawyer will tell you that the ability to deal with people effectively and politely (also known as “soft skills”) is just as important as, if not more important than, technical skills.

Written by a practicing City lawyer, *Soft Skills for Lawyers* contains practical suggestions for lawyers on how to deal with people in every different work situation and covers topics such as verbal and nonverbal communication, body language, business etiquette, marketing, public speaking and time and stress management.

For more junior lawyers, it also contains a section on how to become a partner in your firm, which includes practical suggestions on specialisation, how to relate to partners, how to raise your profile and develop a more resilient, confident and business-focused attitude from the start!

Know what to do and what to say in every work situation and make sure you come across always in the best possible way!

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise without the express permission of the copyright owner. The purchaser of the electronic version of this book may store it in an electronic retrieval system and print it for their personal use only. The transmission or distribution of the electronic version of this book by the purchaser to any other person (whether electronically or by delivery of a hard copy) without the express permission of the copyright owner is prohibited and may result in criminal prosecution and a civil claim for damages.

Neither the publisher nor the author can be held legally responsible for the consequences of any information or advice given in this book. This book is intended to provide general information only and should be used solely for entertainment purposes. It does not purport to provide professional guidance or advice and readers should exercise their own judgment before relying on any information or advice provided. The author and publisher accept no responsibility or liability for any loss which may arise from reliance on such information or advice. If expert assistance is required, readers should seek their own professional advice.

Copyright © 2008-2013 Giuseppe Giusti. All rights reserved.

First Edition published 2008 by Chelsea Publishing Limited.

ISBN 978-0-9558926-0-8

Chelsea Publishing Limited
12 Olive Court
Liverpool Road
London N1 0RQ
United Kingdom
www.chelseapublishing.com

Cover by John Waller (www.johnwaller.co.uk)

Printed and bound in Great Britain.

TABLE OF CONTENTS

Forward and Acknowledgements.....	iv
Chapter 1 - Introduction to Soft Skills.....	1
Chapter 2 - Non-Verbal Communication	7
Chapter 3 - Verbal Communication	28
Chapter 4 - Business Etiquette.....	42
Chapter 5 - How to Become a Partner.....	77
Chapter 6 - Business Development	106
Chapter 7 - Delegation	127
Chapter 8 - Public Speaking.....	149
Chapter 9 - Time and Stress Management	164
Bibliography and Further Reading	181

FORWARD AND ACKNOWLEDGEMENTS

Writing and publishing this book was a team effort. I would like to thank the many people who helped me to make it possible. Among these, Paul Buchan, who contributed to the editing and formatting of the book; Lauren Ellison, who wrote certain sections on dressing finesse; and John Waller, who kindly provided the picture that appears on the front cover.

I would also like to thank the many authors who have researched and written on the topics covered by this book before me and on whose books, articles and publications this book is based. A list of these authors, books and publications is provided in the bibliography and further reading section at the end of this book, to which readers are encouraged to refer for all purposes.

Finally, I would like to thank the readers themselves for their interest in this publication and praise them for their willingness to invest their time and energy to further improve themselves, both from a personal and a professional perspective. I hope that this book will contribute to your professional and personal growth.

If you like this book, or if you learn something new by reading it, I would be grateful if you could recommend it to your colleagues and friends and let me have any comments you might have by e-mailing team@chelseapublishing.com. Your support and comments will be an encouragement for all of us to keep working on similar projects in future.

Giuseppe Giusti
17 March 2008

CHAPTER 1 - INTRODUCTION TO SOFT SKILLS

1. Definition of Soft Skills

There has been a lot of talking recently in the legal profession about soft skills. A number of articles emphasising the importance of soft skills for lawyers have appeared in the legal press; a number of large City firms have introduced courses and programmes to offer their lawyers and partners basic training in soft skills; and a number of consulting and coaching organisations have started to market their services in this area to individual lawyers and law firms.

But what are soft skills and why are they important to the legal profession?

Soft skills are generally defined as those skills that influence how we interact with people. They include, at the most basic level, such abilities as effective communication, leadership, team building and listening skills and, at a more sophisticated level, such abilities as career planning, marketing and sales pitches, project management and delegation, public speaking and time management.

Soft skills are generally contrasted to technical skills or “hard skills”, a category that includes, so far as lawyers are concerned, skills such as knowledge of the law and legal practice, legal analysis, legal research, legal drafting, business knowledge and so on.

The corporate world, particularly in the United States, has been reaping the benefits of training in soft skills for some time now. CEOs and senior managers in large corporations have long recognised that the higher a person rises in an organisation, the more they are required to effectively employ in their job skills such as communication, leadership and team building and take full responsibility for the development of their firm’s business. That is why business leaders are taking advantage of soft skills training and enjoying significant returns.

The legal profession, by contrast, has only recently become aware of the importance of soft skills and the need to employ soft skills effectively, in a legal environment, when dealing with existing or potential clients and, within a firm, when dealing with superiors, colleagues, more junior lawyers, paralegals and other staff.

The high-end section of the legal world appears to have now recognised that in order for a lawyer to be successful in their career (and profitable for their firm) they need to master and employ effectively both soft skills and technical skills. As a consequence, a number of the largest City firms now offer their lawyers and partners the opportunity to attend courses and programmes that provide basic training in soft skills.

The breadth of these courses and programmes, however, still varies from firm to firm and only a few firms offer broad and all encompassing programs.

2. The Importance of Soft Skills

Some lawyers believe that they do not require any specific training in soft skills. They believe that, since they have become technically proficient in their area of expertise and are incredibly hard workers, they will be able to master soft skills with the same proficiency with which they are able to master their technical skills. Other lawyers believe that leadership and soft skills are qualities which by nature you either have or have not and that, if you are not born a leader or a great communicator, there is very little you can do to become one.

All of these beliefs are wrong and unjustified. A lawyer who denies the importance of soft skills will generally experience difficulties and setbacks in their career. Typically, they will struggle to develop their business by winning new clients and new instructions or, within their firm, struggle to manage their team by retaining and motivating their assistants and support staff.

How many times, for example, have you heard of a lawyer failing to secure instructions from a potential client because of a poor sales pitch despite the fact that they had the best credentials, capabilities

and technical skills? Perhaps something in the way the lawyer communicated with the potential client did not give the client the confidence they needed to instruct that lawyer with their business. Even though the client may have known that the lawyer was the most skilled to undertake the job, they offered the job to someone else who appeared to possess some “intangible qualities” that the first lawyer did not possess.

Research suggests that only forty per cent. of a buying decision comes down to objective factors such as the suitability of the technical solution on offer and that the other sixty per cent. comes down to emotional factors such as the ability of the person pitching for the work to build personal rapport and trust with the buyer. Despite this, professionals, and especially lawyers, still believe that the best way to deliver a sales pitch is by pointing out their skills, capabilities and relevant experience rather than by trying to build a personal and special rapport with the potential client.

Similarly, how many times have you heard of a lawyer who failed to deliver good quality advice in a transaction or case due to bad project management? Things would have gone differently had the relevant project been managed and organised effectively from the very beginning.

Soft skills are also essential for every lawyer who wishes to become a partner in their firm. Often when existing partners consider an associate's potential for partnership, they will look at the associate's technical skills as well as their soft skills. The partners know that the associate can get the job done, but can they inspire others to do the same? The associate may have acquired excellent legal skills, but are they ready to take on all of the additional responsibilities that partnership gives such as generating and managing client relationships, supervising and training junior lawyers and handling firm management duties?

While the particular mix of soft skills required may vary from one firm to another and, within the same firm, from one practice area to another, every lawyer practising law today require to employ effective soft skills in their job.

3. Soft Skills Training

The aim of this book is to provide an introduction to the soft skills most relevant to the legal profession and explore certain related areas.

Chapters 2 to 4 of this book deal with communication skills, namely non-verbal communication, verbal communication and business etiquette respectively. Among other things, these chapters introduce the concept of perception, a concept of utmost importance in communication, and look at the ways you can improve the perception others have of you by working on your image.

Chapter 5 deals with career management and provides practical suggestions on how to become partner in a law firm. Chapter 6 deals with business development. It contains advice on the topics of marketing and sales pitches, two topics that are often frowned upon and treated with fear or scepticism by lawyers. The remaining chapters 7 to 9 deal with delegation and project management, public speaking and time and stress management respectively.

This book does not purport to be a definitive guide on the topics covered but only to present the basic concepts and techniques that will enable you to employ soft skills more effectively in your work and, ultimately, help you become a better lawyer. If, after reading this book, you feel you may require further training in one or more of the areas covered, you may wish to seek additional specialised training by attending personal development seminars, management or business courses, or by contacting a professional coach. You may also wish to read some of the books, articles and publications that are listed in the bibliography and further reading section at the end of this book.

From now on you should take advantage of any available professional development programme offered by your firm and must be proactive in filling any gaps left in your knowledge following such programme. Ask yourself what resources your firm offers and what activities it organises that could provide you with an opportunity to

develop the soft skills that you most require. From now on, soft skills should become an integral part of your training programme.

Although your professional plate is probably more than full with the practice of law and business development activities, it is a wise investment of your time to also focus on soft skills development. Developing soft skills should not only be a matter of professional development but also (and foremost) a matter of personal development and self-improvement. This has a number of profound implications, some of which will be explored later.

4. A Proactive Approach to Training

If you wish to learn how to improve your soft skills, you have to take an active role in your learning process. You should identify by yourself the skills that you most need to develop and the specific activities that will help you develop those skills.

If you are a junior lawyer and would like to refine your leadership skills, for example, you may want to volunteer to take on voluminous assignments, like a sizeable due diligence or disclosure exercise, which would require you to delegate tasks to a number of people and coordinate and supervise the work done by others. You may also want to let your supervisor know that you wish to practise your leadership skills so that they will be able to provide an opportunity as soon as one arises. If the opportunity does not arise, try to do some voluntary work. You may acquire strong leadership and organisation skills by becoming involved in a trade association or helping your favourite charity.

If you are a slightly more senior lawyer and you wish to improve your public speaking skills, you may want to contribute to “introduction to practice” programs for more junior lawyers or trainees or deliver a presentation to your colleagues on a specific topic. These speaking opportunities will build your knowledge in the substantive areas concerned and expand your public speaking skills. They will also enhance your reputation and visibility within your firm which, as will be explained later, is crucial for career progression purposes.

If you are a newly appointed partner and would like to refine your business development skills, you may want to observe the partners in your firm who generate the most business and analyse the way they achieve that result. How do they market their services to the public at large? How do they make contacts with new clients? Which social or business networking events do they attend? Is their way to develop business different from the way you do it? Perhaps it may be time to emulate them and see if you generate the same results. Depending on your relationship with the partner in question, you could ask them to share their experience with you and give you some advice. Their support and feedback could be invaluable.

To conclude, there are a number of areas on which you will have to actively work from today if you wish to become a better lawyer. Acquiring training in soft skills is a process that will require ongoing effort and commitment from you. However, if you believe that you can improve and have faith in yourself and your capabilities, you will be able to take on board the techniques and skills taught in this book and gradually incorporate them into your daily practice.

You will then notice the difference these techniques and skills will make in your work and reap the rewards of all your efforts. You will notice that working will be easier and soon you will become more confident and more in control of your work. Remember, if you can get your soft skills right, you will be ahead of your colleagues and competitors, and up to the task in any situation.