



The Modern Lawyer

a different view

“It is the trade of lawyers to question everything, yield nothing, and to talk by the hour.”

Thomas Jefferson - Autobiography 1821

A new legal landscape

Perhaps Jefferson's view was a little harsh, perhaps not. What is clear is that lawyers now operate in a radically different legal landscape than the one prevalent at the time of Jefferson, even 20 years ago. Traditional aspects of being a lawyer like hourly rates are being eroded through fixed fees and CFA's. Something which would have been unthinkable not so long ago.

It is also a time when there has never been as much pressure on lawyers as now. Regulatory pressure, the growth in complaints, the Clementi review and the reform of the Legal Aid system, all put strains on lawyers operating their business. Because after all that is what lawyers are, businessmen who sell legal services.

Clients want to drive down costs and that is not always the answer. Look what happened to the conveyancing market. Giving legal advice is a skill that should not be commoditised to the lowest common value. On the flip side of that is the truism that lawyers must provide clients with value for money otherwise go out of business.

Lawyers need to embrace change and adapt to survive in these

challenging times. How do they do that?

New skills are needed

It goes without saying that a strong understanding of the law is necessary for every lawyer, but as we all appreciate, knowing the law is not enough to be successful. In the information age, society demands that knowledge workers such as lawyers reduce complexity in order to present ideas for mass consumption. Supermarkets and internet law promise cheap legal services for all. How do lawyers react? Decry the dumbing down of their beloved profession and bury their heads in the sand or react in a proactive way by thinking outside the box in developing their lawyers. I suggest the latter.

Lawyers need fundamental personal skills like the ability to communicate and persuade effectively, to manage themselves and others properly to ensure people do what matters most at the right time, the ability to handle pressure and to select the most appropriate state for each situation. It is no good having a whole raft of academic lawyers who can't communicate their ideas effectively to clients. Many lawyers are not professional managers, yet are in situations where

they are expected to manage large numbers of people without proper training and development.

To survive in today's global marketplace firms need to adapt and invest in the "soft-skills" of their employees and find out their employees signature strengths (what they do best) and then give them the autonomy to express themselves. Studies have shown that if lawyers are provided with the skills necessary to perform and develop their signature strengths they perform better and are happier. Isn't that a goal worth going after for any firm?

What are the options?

Lawyers could continue doing the same thing they have always done. If different results are expected then that is by definition madness. Lawyers can grasp hold of their own destiny and decide what their signature strengths are. After knowing the law, success will come through the development of soft skills. The influence of science on the study of human behaviour in the last 20 years has permeated to most areas of modern business, but not too many law firms.

Neuro Linguistic Programming (NLP) is the study of excellence. It allows people to develop skills that help them do what they do, just better. Ask yourself the question whether you would like to communicate more effectively, to manage your state to maximise your effectiveness, be able to manage time and do what matters most thereby making you a better lawyer? My guess is that the answer is yes. How often are complaints about lack of knowledge of the law? Complaints are usually about poor communication, missing deadlines and failure to explain things properly. All lawyers would agree that good communication, time management and clarity are vital skills, yet distinctly lacking in many lawyers.

In order to survive in the current marketplace lawyers need to adapt. Telling people more law through yearly updates is not enough. The yearly CPD requirement has now shifted to include development in soft skills.

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