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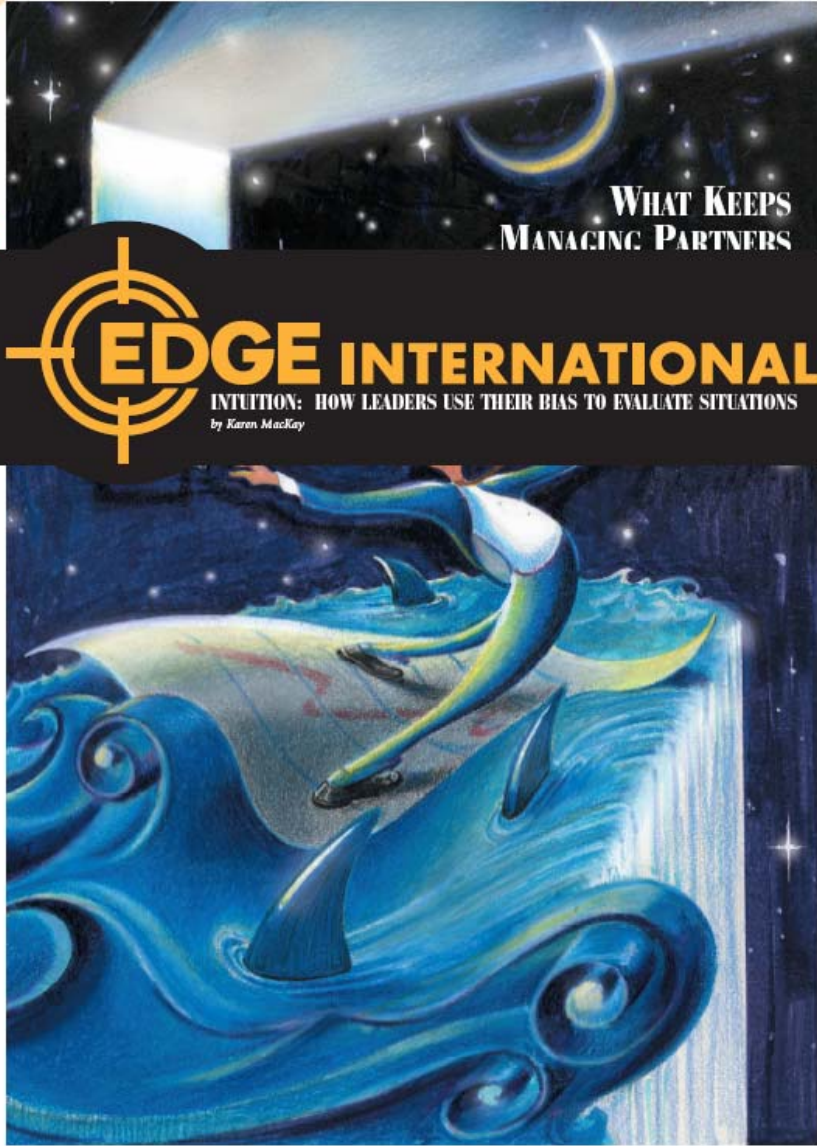
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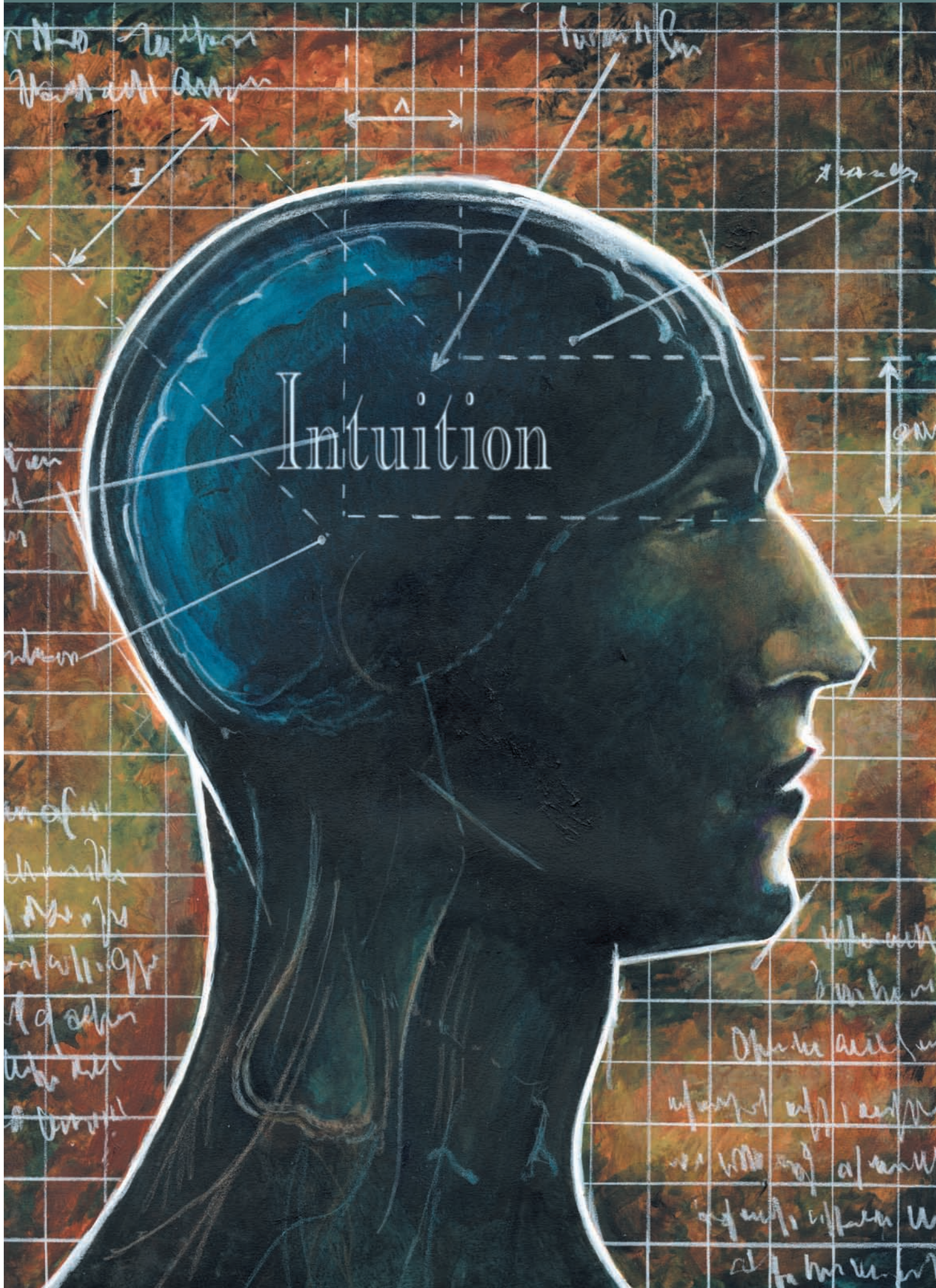
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INTUITION

HOW LEADERS USE THEIR BIAS TO EVALUATE SITUATIONS

by Karen MacKay, **EDGE** INTERNATIONAL

Leading a group of professionals, or an entire firm for that matter, is complicated business. It is also endlessly fascinating, equally frustrating and especially challenging. For the managing partners I have come to know, there are energizing highs and energy draining lows.

How does a lawyer's area of practice influence the way he or she leads? How do law firm leaders filter information? How is intuition used and how does it impact success in a leadership role? Let's begin with intuition and work back through these questions.

INTUITION: "THE HIGHEST FORM OF KNOWING"

The term intuition has commonly been described as "women's intuition" and is

often applied when women rely on their feelings and instincts to reach a decision. Both men and women who use intuition describe it as a "gut feeling" or "instinct." Albert Einstein referred to intuition as "the highest form of knowing."

As Wayne Gretzky, arguably the greatest player in the history of hockey, said: "To be a winner, you don't skate to where the puck is, but you skate to where it will be."

Gretzky relied heavily on his intuition and was incredibly successful as a result.

According to the dictionary, in·tu·i·tion, a noun, means:

- ☉ The act or faculty of knowing or sensing without the use of rational processes; immediate cognition.
- ☉ Knowledge gained by the use of this faculty; a perceptive insight.
- ☉ A sense of something not evident or deducible; an impression.
- ☉ Immediate apprehension by the mind without reasoning.



FACTS + INSTINCT = INTUITION

Effective leaders use intuition regularly. According to author John C. Mitchell, his “Law of Intuition is based on facts plus instinct and other intangible factors.”

Leaders use intuition to read situations: consider those times when you are able to tell that something is going on – you can feel it. You walk the halls of the 29th floor in your law firm and can sense the tension. (You don’t know factually yet that five associates are drafting their resignations.) If you can feel something going on, trust your gut; do a little digging; talk to people; get to the source.

Leaders use intuition to read people: intuitive leaders can sense instinctively emotional changes in the work environment. Intuitive leaders can sense rising stress levels;

they can sense when a member of their team is carrying a great personal burden, and they can sense when an appropriate time presents itself to make a meaningful connection.

Leaders use intuition to read themselves: they can read their own state of mind and know when the time has come for some out-of-office contemplative time. Intuitive leaders know when the stress in their environment is approaching an unmanageable level or when they are in a motivational low. Further, intuitive leaders know their own strengths and weaknesses and, through this self-knowledge, know what and who should be part of their team – such as people with complementary skills and attributes.

Leaders use intuition to read what’s happening in their marketplace – trends that will impact their firm – so they can adjust their course. Leaders who lack intuition may be decisive and may possess the courage to stay the course, but they may not read the signals that tell them when they are on the wrong course until it’s too late. When people “stay the course” despite indications that it may be a bad idea, the theory of escalating commitment often keeps them there – they conclude that so much has been invested that they cannot walk away - even when their gut instinct tells them to cut their losses and change direction.

practice area and the politics of the practice group. Learning to develop business, develop your own style and develop your skills – it’s an extraordinary challenge. The path of developing information comes from various sources. You learn formally, you learn by observing and you learn by doing. We all have filters that influence how and when we allow ourselves to know things.

FILTERING INFORMATION

According to Warren Bennis,¹ three filters dominate how leaders gather information. These filters impact what information leaders absorb and when they acknowledge or internalize the information.

Filters impact what information leaders absorb and when they acknowledge or internalize information.

The first is the social filter. This refers to the situation where a leader rejects information because he or she does not have regard for its source. In some law firms I hear about “the inner circle”: the inner circle is respected by the leader and their opinions are valued.

What happens to important information that comes to the leader from someone outside the inner circle? Does it get filtered, devalued and overlooked by the leader? If, in fact, the social filter is a natural process, the challenge to leaders is to drive themselves to be more open to information no matter the source.

The second is the contextual filter. This filter causes someone in a position of influence or power to “reject the significance of the surroundings.” Consider the situation of a lateral partner who is brought in to build or lead a practice group. Consider that this lateral partner has come from a very different firm and has experienced a very different culture. Such situations are

Everyone processes information and makes decisions differently. The logical, analytical types who are attracted to law tend to trust the facts and make decisions using logic. An extraordinary ability to manage the details, grasp concepts and analyze situations makes for a great lawyer. Intuitive people grasp abstracts and can visualize “the big picture.” They use words like “gut,” “sense,” “feel,” and “instincts.” Highly intuitive people are usually neither interested in nor attentive to the details. As a result, it may be fair to conclude that successful leaders appear to have a grasp of both worlds.

Lawyers must absorb vast quantities of information in their daily practice. Think about the early days of your career: learning the law, learning the intricacies of the

¹ *What Leaders Allow Themselves to Know*, Paul Michelman, Harvard Management Update, February 2004

destined to fail if the new leader disrespects and disregards the new firm's history and culture. The lateral may have a vision that simply does not fit, and a style that is flatly rejected by his or her new partners. The best of intentions may be lost by someone who lacks sensitivity and who is not politically savvy enough to execute her plans appropriately within the context of the new firm.

The third filter is that of self-knowledge. According to Bennis, "lack of self-knowledge is the most common, everyday source of leadership failures." If this is the case in the corporate environment where business leaders are groomed through progressive management responsibilities, it can be more important in professional service firms where leaders are chosen often not because of their management capability but because of the respect they have earned as a practitioner in their chosen field. When pondering a leadership role, whether group leader, client team leader or managing partner, consider whether or not the role fits your skills. If you struggle with the administrative details of your own practice, imagine the struggle you will face dealing with all the details of managing a group. Successful leaders communicate constantly with their people. To be effective, communication is often inefficient and time consuming; for example, answering e-mail queries with a phone call or a personal visit. In addition, to be effective, leaders must be motivated by the effort and accomplishment of the group, although they probably got the job due to their own individual effort and accomplishment in their particular area of practice.

THE PRACTICE AREA BIAS

I have never read anything on this subject – perhaps because this is an area that could be fraught with land mines. Being curious about how a career in a particular area of the law influences leadership style, I spoke with several managing partners recently.

What became immediately clear is that one's area of practice definitely influences leadership style. However, is it nature or nurture? I'm not sure. Are particular personality types drawn to one area over another? The short answer – probably.

What is more interesting is that the perception of a leader's style has much to do with the "viewer's mindset"; that is, the perception lawyers have of each other. For instance, those leaders who practice business law viewed their litigator counterparts as "rigid," "inflexible" and "focused on the outcome," whereas the litigators saw themselves as "decisive." Some see litigators as personally attached to a position. They told me that in order to be believed in the courtroom you have to be 100% committed to your position; otherwise, the other side smells blood. They all agreed that litigators are advocates and advocacy plays a big role in their style as leaders.

Those leaders who are litigators viewed their business law counterparts as "conciliatory consensus builders," whereas the business lawyers saw themselves as "open," "team players" and "team builders." Business lawyers as leaders viewed themselves as finance savvy and business oriented – open to options and ideas in order to move the business forward.

As one managing partner said, "You have to think about the end game." For a business lawyer, the end game is to do a deal; but, for a litigator, the end game is to win.

Another talked about "preparation." In business law, the preparation may take the form of an hour's review of the situation prior to a six-hour negotiating session where a deal could be made using any one of a number of options. Conversely, litigators may put six hours into preparation of a position that is reasonable and behind which they can fully commit in order to obtain a

decision after one hour in the courtroom. As a leader, the litigator's preparation may include "gathering opinion among the partners," "analyzing all of the alternatives" and reaching a decision. I'm told they then advocate that position to build consensus.

Nuances of practice areas came to light in my conversations. For example, tax lawyers want a second opinion because it is what they do in practice. Real estate lawyers tell me they naturally get more involved in execution once a decision is made, and labour and employment lawyers use mediation skills in leadership.

All of these leaders, no matter the practice area, agreed that lawyers are trained to be critical and analytical. They dissect, poke holes and probe every idea worthy of their attention. A leader who earned an MBA some twenty years after beginning the practice of law learned through the business school experience "how fragile a creative idea can be."

Regardless of the discipline that has influenced a lawyer's thinking, perhaps the real message among all this information is simply this: leaders must understand their practice area bias, their filters and how they can use their intuition combined with analysis in executing their leadership role.



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