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Use Coaching To Develop Your Lawyers’ Skills And Expand Your Firm’s Potential

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For over two decades, lawyers have recognized the need for formalized mentoring systems so that the wisdom and guidance of elder lawyers can be systematically imparted to younger lawyers. Mentoring is happening within law firms and through bar associations. Mentoring is great: it is emotionally and professionally supportive; it enhances integration, cultural diversity, and collegiality; it promotes the values of the profession; and it can lead to long-lasting, rewarding relationships.

But mentoring is not coaching. At its core, mentoring is person-focused. It is about supporting associate participation and career advancement. Coaching is job-focused. It is about improving associate performance and developing skills. Mentors advise; coaches instruct. Both are equally valuable. The big difference between the two is that mentoring frequently happens in the practice of law while coaching does not.
Coaching can be used to improve performance in just about every aspect of the practice of law: writing, analysis, oral advocacy, time management, leadership, and business development. Coaching is time- and attention-intensive, but the investment of both rewards the coach and the associate. Coaching can be used to correct or enhance performance, or both. Firms often turn to coaching to “fix” a problem. For example, an associate with excellent overall performance may have a specific deficit—writing, organization, communication—that needs to be improved in order to meet firm expectations. In baseball, imagine a Golden Glove shortstop who hits under .200 year after year. Although his manager values the player’s fielding skills, the team needs the player to hit more effectively to be of full value to the team so they hire a batting coach.

But firms can also use coaching more strategically to maximize the performance of talented attorneys who are already doing well. In this scenario, incremental improvement can be very profitable in terms of increased efficiency, increased productivity, and higher quality work at higher rates. Think about the baseball manager who brings in skill-specific coaches to improve his shortstop’s batting average from .300 to .325, make him a smarter base runner, and decrease the number of fielding errors by 50%. That’s how All-Stars are made. Do that with enough players and you’ll have a winning team.

To correct performance, firms often bring in outside coaches who have specific subject-matter expertise and well-developed coaching skills. Sometimes, an outside expert is the way to go. But this is not always the most cost-effective approach. Firms that want to use coaching to strategically enhance performance would benefit greatly by incorporating coaching into the roles and responsibilities of senior attorneys. Of course, coaching is itself a skill that, like any other, must be consciously and continuously developed.

A coach begins by assessing lawyer performance, then uses that assessment to identify specific performance objectives, and finally provides step-by-step instruction and evaluation to achieve those objectives.

Begin With An Initial Assessment To Identify Performance Objectives
If you are interested in coaching a colleague, the most important thing to remember is that you have to begin with who, what and where that individual is now. You have to understand the person’s individual history, knowledge, and experience as well as his or her inherent characteristics and talents. First, find out how others view the individual’s performance by reviewing evaluations and interviewing supervisors and peers. Ask questions that get beyond general descriptions like, “He’s a weak writer” or, “She’s not a persuasive speaker.”

Second, look at any objective data: time sheets, realization rates, billing rates, and work assignments. Third, if possible, conduct your own assessment of the individual’s performance by reviewing work she has written, observing her give a presentation, or running her through a role-play or sample scenario. Finally, walk the individual through a self-evaluation. Most people know their own weaknesses: they know what makes them struggle, and what makes them uncomfortable. At the end of this process, you should have a list of specific deficits or performance concerns that the individual needs to work on.

Because coaching is performance-based, you have to know the expected or desired level of performance. Many law firms have articulated their performance standards as benchmarks or core competencies. If the firm has not expressed these standards, use the interviewing process and your own experiences to articulate what performance is expected or desired. You and the associate both need to understand the goal and how performance will be measured.

Next, work with the individual to set performance goals. Here, you play the coach as motivator. The best coaches help lawyers envision the practitioners they might become. The performance goals should be well-defined and designed to move that particular person to the next level of expected or desired performance.

By comparing the desired performance with the actual performance, you should discover the performance gap.

Fix The Performance Gap In Four Steps

Coaching, which is both practical and experiential, begins after the performance gap is identified.
Step One: Identify the functional problem. To do this, you have to break down and examine the mechanics of the actual and the desired performance.

For example, in baseball, a batting coach working with our shortstop will look at the position of the hands, arms, and elbows; the angle of the bat; the distance from the plate; the balance of weight over the feet; the stance; the visual focus; the hand speed; the cut of the bat through the air; and the follow through. Similarly, a coach working with an attorney on legal writing will look at the person’s knowledge of the law, ability to find and understand the law and to gather and understand the facts, use of authority, expression of the facts, articulation of reasoning, as well as the more obvious details of organization, headings, citation format, sentence structure, word usage, grammar, and proofing.

Once you have identified all of the functional components of the performance gap, prioritize the order in which they will be addressed. Anyone who has ever taken golf lessons knows that it is impossible to fix an incorrect grip, stance, swing, and follow through all at the same time.

Step Two: Show and instruct. Having identified the functional problem(s), describe the problem(s) to the individual. He needs to know what needs to be changed, why, and what the new result will look like. Then, tell him how to change it. Even better, show him how to change it. Following your list of priorities, do this for only one or two functional components at a time.

Step Three: Practice, feedback, practice, feedback. Coaching provides high quality feedback that supports the development of skills. True performance improvement takes time and repetition. Just telling a person she is doing something wrong and telling her how to do it right is not enough to create change. The individual must have opportunities to practice what you teach her. As she practices, you need to keep giving her feedback on what is working and what is not. You also need to solicit her input. Does she understand the instruction? Does she understand how to apply it? Is it comfortable? Does it make sense? Does she think it is working? To enhance the coaching relationship, you need to know what the associate perceives as challenges or obstacles to her improvement, and to engage her in the process.
Step Four: Assess and refine. After the individual has had time to work on his performance, step back and assess. Has the performance gap been closed? Is the individual’s performance meeting or exceeding the desired level of performance? If so, great! If not, figure out why. Go back through Step One. Did you correctly identify the functional components of the performance problem? Did you correctly prioritize them? Then, go back over Step Two. Was the change that you suggested the right change? Did the individual really understand what you wanted him to do? Was he committed to making the change? If not, why not? Is there a different correction that you can suggest, or a different way to explain it? Once you have shifted the instruction, go through Step Three again.

Repeat these four steps until the desired performance is achieved. Once the performance has improved, move on to the next performance goal.

Coaching Has Reciprocal Benefits

Coaching is a strategic tool that maximizes a lawyer’s potential in ways that benefit both the individual attorney and the firm. For the individual attorney, coaching increases competence, facilitates the acquisition of new skills, builds confidence and identifies solutions to specific lawyering skills problems. For the firm, coaching improves relationships, demonstrates commitment to associates, allows more efficient use of attorney talents, and leverages experience for increased productivity and profitability.

From a purely selfish point of view, the benefits to you, as coach, are perhaps the greatest. Coaching can make a good lawyer great. Guiding someone else to a level of true excellence is one of the most satisfying professional experiences imaginable. For every Derek Jeter, Roger Staubach, and Mary Lou Retton, there was a Joe Torre, Tom Landry, and Bela Karolyi. But each of those coaches also coached a slew of other players who excelled at their sport thanks to coaching. Even more importantly, in the process of analyzing and improving performance, great coaches make lasting contributions to their fields in terms of strategies, techniques and standards. This is true in sports and it is true in law. That great coach could be you.