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Building relationships at a time of “change & upheaval”

morning keynote speech

at

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Finuas Skillnet

ANNUAL IN HOUSE AND PUBLIC SECTOR CONFERENCE

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Good morning, delegates.

I must start by
Unburdening my conscience
I must confess to having bad thoughts
About some lawyers

To be perfectly honest –
I have a sort-of
“love-hate”
relationship with them.

I say sort of
Because love’s DEFINITELY
too strong a word.

Let’s be clear.
And
for the avoidance of doubt.
As you people like to say

I-DON’T – LOVE – LAWYERS
And you’re not to tweet that I do!

And hate’s TOO strong a word, too

What I mean is
Sometimes
I find them VERY frustrating

But I do admire them.
I do respect them.
Perhaps, part of me even
envies them.

I'm NOT a lawyer.

Note that I DIDN'T say

I'm a NON-LAWYER

Whoever came up with that expression
should be shot!

Between 1978 and 1982 at UCC,

I studied "Commerce".

I MAJORED in Law

& Accounting

Then I spent most of the next 35 years

working with lawyers,

in one guise or another.

First as an accountant –

and later as a divisional director

and managing director

in various organisations

mainly media companies

So I spent a lot of time with lawyers,

Most of it on commercial

Or intellectual property deals

When I set up my own consultancy,
over 15 years ago,
I ended up spending
more than HALF my time
working with lawyers of all kinds –

in-house,

private practice,

public and private sector,

B2C and B2B.

I've lost count of the number of legal sector
talks,
workshops
and conferences I've done.

The plethora of blogs
and articles
I've written

The number of 1-1 sessions
I've had with in-house
and private practice lawyers,
young,
old...
and middle-aged.

I've even worked with the most
maddening lawyers of all
– barristers.

So, I must know hundreds of them
– which makes me feel like a kind of
David Attenborough
of the sector.
Fascinated –
even obsessed –
yet not one of them.

In the main,
most lawyers I've met are
usually “nice” people.

And they're invariably bright –
sometimes,
awesomely bright.

And they're incredibly hardworking.
And they're interesting
and good company

because they tend to be
readers and thinkers –
and have opinions on everything –
from politics to sport.

But there's one thing
I've come to notice
Over the years
with lawyers,
is that they behave
as if they feel
they have to know
EVERYTHING!

Now,
I don't BLAME
them for this.

Society grabs very bright
young people
from university,
puts them through law school –
where they are force-fed
an adversarial model,
and
more often than not
made to value thinking
over feeling.

After that,
they're worked to death in law firms.

Yes,
We need our lawyers to be tough,
analytical and unemotional.

And we hire them because
they know the law –
and we don't.

So, what's the problem?

Well, it's this.
Many lawyers end up in leadership roles
of one sort or another.

Roles they're OFTEN
not prepared or trained for.

One GC client of mine –
from an international business
with a huge Legal team –
was once asked
whether she became a “manager” by luck or design?

She answered that she started as a litigator

And loved litigation.

Later she worked on commercial deals
And became a bit of a “deal junkie”.

Then she was spotted as a potential leader
Was given some leadership roles

she liked the promotion
but said that she had
no proper TRAINING
in LEADERSHIP, OR

in other business disciplines,
like,
for example,
MARKETING.

I choose marketing because it can
To some
appear to be
The most
Nebulous of functions

I've known some lawyers
To look down their noses at marketing.

One equity partner client
earning over a million dollars
once said to me:

“Marketing?
how complicated can marketing be?
All you need
are forty tickets
to Wimbledon...”

At a stroke, he had reduced to nothing

all the art and
science of marketing –
which is awesomely difficult to learn
and to get right.

But to be fair to lawyers
When it comes to the use, or abuse,
of the word STRATEGY
They HAVE a point.

Strategy, after all, simply means
“HOW?”

How will you achieve your objectives.

That’s all.
The rest is MANAGEMENT SPEAK.

And it’s not a case
that lawyers don’t go
on management
or leadership courses –

They do.
But they approach them
with a particular mindset
forged in the
CRUCIBLE
of their legal training.

Their training
usually excluded the F-word –
Feelings

Lawyers are
trained
to distance themselves,
to some extent,

from their feelings.

That's OK
when it comes to black letter law –
Or in court –
Or when you just want to win your case
Or deal point

But leading people
requires a DIFFERENT skillset
Because
it's more problematic.

And the problem is,
You CAN'T lead
unless
you engage with your feelings
and
with other people's feelings

I'm afraid
there's no way round it.

So Lawyers must
Find a way
Of increasing
their EMPTIONAL INTELLIGENCE
if they want to
manage their relationships successfully.

That's it.

That's my core message

today.

It's in your
personal interests
in your family's interests
in your profession's interests

in your Legal Function's interests
in your organisation's interests

and – of course –
it's in the interests of society –
that you increase your EI or EQ,
whatever acronym you use.

Don't take my word for it –
Just Google EI
or EQ,
mindfulness
or empathy at work

You will find that this is not a fad
This is here to stay.

Because the fads
have gone.
They were blown away
By the last corporate scandal.

The trust barometer
has been broken into smithereens –
And we all know it.

So there's no getting away from it –
In the 21st century –
if lawyers are going to be fit for purpose,
increasing their emotional intelligence
is an ABSOLUTE must.

There are LOADS of books
written about emotional intelligence –
some better than others.

Daniel Goleman is a great if
you want to understand the theory
And practice of EI

Brené Browne's top ten TED Talk on
How showing your vulnerability
is NOT a weakness
is excellent

Her book, Daring Greatly,
Which was given to me by a GC
Is well worth reading

Eckhardt Tolle who wrote
The Power of Now
Is brilliant on mindfulness

From all my reading
Of these great authors
And from all my work with clients
I distilled EI all down to
Three components

1. Empathy.
2. Self-awareness.
3. The ability to negotiate your needs productively.

Empathy, is about being able to understand
how another may be feeling.

Self-awareness, is about knowing
how you behave on a good OR bad day

And the ability to negotiate your needs productively

Is about win-win
NOT win-lose
NOT lose-win

It is often in the area
Of negotiating needs
that many lawyers come unstuck

it may be productive
to get your needs met
in an adversarial manner
in court,
or in negotiating a deal
or a contract

but that approach
will not get you
where you want to get to
with your relationships

Now, some of you may be thinking –
this is all very interesting,
but it isn't about me –
I'm not a leader.

Some of you may not even have a team.

My belief is
Based on my experiences
That
if you're a lawyer,
you **ARE** a leader.

Let me explain
To you why I believe
that you
ARE are a leader
Whether or not
You lead a team

It's because you are an officer of the court.

That means – to quote the Law Society of Ireland's
Guide for In-House Lawyers May 2018:

“You have an overriding duty to the court to ensure,
in the public interest, that... justice is achieved”

And that's a leadership position.

In your organization –

In your community –

In society.

Your colleagues in

Finance,

Operations,

IT etc.

They are NOT officers of the court.

They do NOT

have the same broad legal responsibilities.

Philip Wood QC,

visiting Professor of Law at Oxford,

wrote in the January Edition of *Modern Legal Practice:*

“legal systems are, in all their aspects,

the most fundamental source of morality...

the world may be able to do without its various philosophies

and religions

...it cannot do without its laws” ...

So, you are guardians

of the rule of law

and

defenders

of our hard-won democracies.

And when it comes
to upholding the rule of law,
your role is to protect **us** from **ourselves** –
as one GC
for example
put it
to stop us sending
that stupid letter

to put the good of society
above what is expedient
for the business
or organisation

And if all of that's not lofty
and high fallutin'
enough for you

if you **HAVE** a team,
not only must you **LEAD** them
as well as any other leader
in your business or organization,
But you must lead them
in accordance
with your higher purpose in society.

The first rule of leadership
Is to create an environment
in which the people you lead
THRIVE

And what could be more at ODDS
with your legal training
than creating
an environment
where the other guy thrives?

Were you not trained
To some extent
not only to win
but to ensure
that other party loses?

Is that not the essence
of an adversarial system?

But as leaders
you can't treat your context
as a gladiatorial arena.

That's a recipe for
disastrous relationships.

And over the next five years –
a period of “change and upheaval”
the strapline of this conference -
You will have to grapple with these contradictions
in your business –
in your public sector organisation –
and in your head.

So, imagine this is 2023 and not 2018.
Just five years from now.

And, imagine if
with the kind permission of The Law Society –
albeit with a forty-page
health and safety disclaimer –

a Time Tunnel, like the one in
the TV programme we used to watch as kids

– were to appear behind me,
and we all entered it together
and tumbled into the future

but back into this
same hall,
here in Blackhall Place
in Dublin

the year would be 2023.

If still alive,
we will have aged by five years.
I will be 63.
You will all be five years older

So picture yourself in five years' time?
What work will you be doing?
Where and with what title?

Will you still be an in-house lawyer?
How will the function have changed, if at all?

Will it be, as you lawyers like to say, B-A-U,
business as usual?

Lots of stuff done using new technology and AI,
but the core will remain unchanged –
but with some techy bells and whistles
ridding you of some of the tedium.

Or will the legal sector be
unrecognisable
from what it is now –
like the airline industry is
when compared with 25 years ago?

All the art
and science
of legal counsel
and process
serves the purpose
of ensuring that the business
– or the organisation –
makes the best decisions it can –

And how you manage your RELATIONSHIPS
up, down and across –
impacts HUGELY
how those decisions are made –

So the most important
thing for you to do now
is to focus on managing
your relationships
as well as you can.

That way you will be prepared
For any outcome
And you will have a more fulfilling
And rewarding career

Life and work
and is about how
one person,
one team,
one function,
one board,
one business,
one organisation,
or indeed one country –
relates with another.

Yes, you can become more and more expert
in your area of legal expertise.

But this is not what worries
The GCs I work with

Apart from the nonsense of
Doing “more for less”?

They are concerned about
Their relationships

They are worried
About making a mistake

Some fear their boss
or specific people
in ‘the business’?

Some see
In emails and texts
sleights –
real or imagined

And they often feel
Angry, frustrated

Unappreciated
Or sometimes, just bored

These are all feelings
So what if you Google feelings
You would probably get a chart of 'emojis'

These come
Under four headings

Happy
Sad
Angry
And Other

Let's pick three from each
Happy: Confident; content; loved
Sad: Disappointed, Hurt, Unloved
Angry: Annoyed, Frustrated, Fuming
Other: Anxious, Jealous, Bored

List of Feelings

						
	Happy	Sad	Angry	Other feelings		
	Calm	Ashamed	Annoyed	Afraid		
	Cheerful	Awful	Bugged	Anxious		
	Confident	Disappointed	Destructive	Ashamed		
	Content	Discouraged	Disgusted	Bored		
	Delighted	Gloomy	Frustrated	Confused		
	Excited	Hurt	Fuming	Curious		
	Glad	Lonely	Furious	Embarrassed		
	Loved	Miserable	Grumpy	Jealous		
	Proud	Sorry	Irritated	Moody		
	Relaxed	Unhappy	Mad	Responsible		
	Satisfied	Unloved	Mean	Scared		
	Silly	Withdrawn	Violent	Shy		
	Terrific			Uncomfortable		
	Thankful			Worried		

www.RecordCharts4Kids.com

SO how can YOU manage these feelings –
and therefore
your relationships
– better?

That's a big subject.
It's what I spend most of my time doing
With boards
Main,
operating
and
Exec Committees

with lawyers
and
their legal teams.

And I too use an acronym
It's P – S – B
Purpose
Strategy
Behaviour.

Your starting point is to review
THREE purpose statements:

FIRST what's your personal purpose as an in-house lawyer?
SECOND what's the purpose of your Legal function?
THIRD what's the purpose of your organization?

Unless these three purposes are CLEAR
Unless their INTER-dependence
is NEGOTIATED
Then it follows that
the relationships
on which they depend
are at risk.

On your personal purpose

Why are you an in-house lawyer?

Why do you want to remain a lawyer?

Did you always want to be one?

Did you drift into law?

Or were you pushed?

Since you are where you are

What's your purpose now?

You have **choices** –

you can stay where you are,

and make it better –

or you can leave.

Whatever you decide,

make sure you have a **purpose** –

even if your purpose

is to figure out your purpose.

The quality of your relationships –

which is what this talk is all about –

will come back

time and time again –

to the extent that OTHERS

can see and feel

that YOU have figured out YOUR

personal purpose.

They won't speak openly about this of course

But that does NOT mean

they're not trying to figure YOU out

Next, you must decide on
the purpose of your legal function
in relation to
the purpose of your organization.

Earlier this year
I was commissioned to
Write an article
For the quarterly journal –
Modern Legal Practice

you can download it from my website –
The title was

*GC role and purpose:
a revolution, not evolution, is needed by business and society*

The gist of it is this:

When it comes to legal counsel and process –
You know, and they don't.

The relationship is a-symmetrical.
FULL STOP.

So you **must** have the courage to **tell** –
not **ask** – the organisation
what it needs to achieve its purpose.

Now **that** can be a bit scary

- for good reason there is
- a “scared” emoji

Next
you can move on to
YOUR PERSONAL
STRATEGY.

That is HOW
Will you achieve
Your personal purpose?

I recommend
That your strategy
should be
to learn how to lead
by connecting with **your** feelings –
as well as your thoughts.

You were trained to think.
That's made you a good lawyer.

Now you need to train
yourself to **feel**
as well as you think.
That's about using a different muscle.

That brings us to your B
The behaviour you will use
To implement
Your strategy to achieve
Your purpose

Feel Need Do is a useful tool
Championed by Marshall Rosenberg and others
To help you manage your feelings
and therefore your relationships

It works like this:

So, start with what you **feel** about a situation
Then ask yourself what you **need**
in relation to that feeling

Finally ask yourself what **OPTIONS**
You have in terms of what you can you **do**
to meet your **need**
to address your **feeling**.

Often lawyers jump to **DOING**
Because their legal training ensures
They usually know what to **Do**
Doing is their comfort zone

They should pause
Check what they feel
and what they need

In summary there are three steps
To managing
your relationships
better

Step 1: figure out your personal purpose
Step 2: decide on a strategy to achieve it
Step 3: then make small changes in your relationships every day.

Just start by changing ten interactions
in every hundred
to reflect your newly-framed purpose as
a lawyer-leader...

Changing just ten interactions
is only 10% of all interactions.
That's small change.

But – in aggregate – small changes will have a big impact
on you
on your business or organisation
and on society.

So if you want to manage your relationships better –

and you're looking for two words to sum it all up –

then SMALL CHANGE
sums it up.

If you're up for Small Change in YOUR behaviour
then, hard as it is to believe,
you will notice
big changes in THEIRS.

I know
It seems like a contradiction
That to get others to change
You have to change first
But it's true

And take a moment to think about
the complexity of some of your relationships **today**.

If you RAGed them now?

How many are green?
How many are amber?
How many red?

How can you convert the Reds to Green –
and prevent the Ambers going Red?

The answer lies with you – not them.
Recognise that,
and you will be well on the road
to being a great
lawyer-leader.

Thank you