

Clients and Partners – Social Distancing and the Circle of Trust

Featured in the May 2020 edition of the [Edge International Communiqué](#)

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The building of rapport and trust is difficult enough in a benign environment but has become much more challenging in an era of lockdown and social distancing. At the best of times, law firms are low-trust environments – as some years ago, a commentator described them. Of course, we have to trust our partners, especially when it comes to professionalism, ethics, and matters of integrity, but lawyers tend to leave their personal feelings at home and erect around themselves boundaries of autonomy and detachment. This is often evidenced by closed office doors, and a stand-offish aura.

This sort of detachment can also spill over into client relationships. The much-vaunted “trusted adviser” status assumes a level of rapport, closeness and concord that lawyers can find difficult to achieve, especially as they have had the need for objectivity drilled into them from an early age. Put another way, there are huge emotional barriers in the way, both of allowing other people into our inner circles of trust and of us entering theirs. This is true as much with internal relationships as external ones, and has become even more difficult in times of lockdown where some professionals have relished being left alone to carry on with their work uninterrupted by any form of human contact.

Even where the professional longs to develop closer relationships with clients, both remote working and the advent of greater commoditisation through technology create obstacles. This was true before lockdown – where, after winning a new client, the initial excitement of getting to know the client often seemed to run out and internal energy resources quickly depleted, especially in the face of client push-back against a greater degree of friendliness. The same is true in developing closer colleague relationships. Breaking through these barriers to achieve greater rapport, closeness and trust can be a bit like a marathon runner “hitting the wall”. This is often the case when trying for trusted adviser status in client relationships.

There are three tools we can put in place that allow us to break through the wall and gain (or regain) close and more trusting relationships both with our colleagues and our clients even despite social distancing and periods of remote working. These are the three “Es” of **Equilibrium**, **Energy** and – possibly most important of all – the sadly overlooked value of **Empathy**.

1. **Equilibrium**: Changing our ways and approaches can be tricky and requires a consistent rebalancing effort in order to maintain or recover our equilibrium. Homeostasis refers to the ability of a firm and the individuals within it to achieve optimal states of equilibrium by rebalancing internal and external turbulences in whatever ways are possible. The current

coronavirus crisis makes attaining a steady state of homeostasis a vital imperative. Like living systems, organisations in normal times experience gradual, incremental types of change as they grow, mature or decline. Impacting on this, however, are the more disruptive changes that technology and new business models have brought to the legal services sector that need the organisation to reorient and adapt to achieve some measure of equilibrium. Additionally, coronavirus has or will introduce environmental changes so great that they are beyond the limits within which the usual homeostatic mechanisms can easily cope. To face this, the organisation as a system has to transform itself into another form that is more suitable to the new environment. Coronavirus gives firms the opportunity (and requirement) to implement homeostatic changes including working at home, the adoption of new technological resources and the redesign of business processes. It is clear that change that is necessary is the need to flex social and relational attitudes and conduct to adapt to more remote and more technological ways of working, whilst at the same time enabling the development of rapport and trust with far less face-to-face interaction. What is more, members of all professional service firms are finding they have to adapt and change behaviours as well, in order to maintain their own equilibrium. There are huge benefits to this.

- Firms are finding that some meetings work better through live streaming, as opposed to travelling some distance to attend face to face.
 - Technologically inept professionals are having to learn to harness technology.
 - Video calls are proving much more effective than voice calls and email and give the opportunity to build rapport.
 - Junior professionals are relishing the trust placed in them as they are given more responsibility to arrange their working day and adopt self-discipline to enable better home working.
 - Face-to-face interactions (albeit socially distanced) are becoming better valued as restrictions are eased.
2. **Energy:** Most lawyers and professionals are highly goal oriented and can easily become discouraged if their efforts fail to achieve quick results, or can become bored if they are required to carry out tasks that do not seem to be outcome-oriented. Some activities can even be hastily discarded on the basis that they are a waste of time. Hence, overtures of friendship or rapport-building to clients or colleagues can quickly run out of steam if they meet initial resistance. The importance of building or maintaining relationships can be ignored during times of remote working. Like the runner hitting the proverbial wall, the adaptive and fit professional needs persistence and oxygen to win through, rather than give up or turn to more immediately satisfying goal-related efforts. It is a challenge to stay connected with clients and colleagues from a distant setting, and an even greater challenge to improve relationships and break into their circle of trust. Here the old marketing “seven times seven” motto (that a message has to be repeated seven times in seven different ways) holds true for developing relationships as much as for winning new clients. Taking relationships for granted is never a good idea. The truth is that relationships – like fitness – atrophy over time unless renewal efforts are made. It takes energy to maintain the commitment to clients and colleagues. More importantly, remote video-conferencing meetings are proving to be extremely taxing. Most meetings even on a one-to-one basis run out of energy after a much shorter time than meetings in the flesh, and so the need to build reserves of resilience and vigour – like training to be an athlete – requires time and effort.
3. **Empathy** can be defined as understanding how another person feels, fuelled by a curiosity to find out what it is like to be the other. It can foster the ability to understand what it is like to be your client or partner and to align with their agenda and their feelings. But it does require work in getting to know your client or colleague at a deeper level, including what type of personality they are, how they react to change and turbulence, what their typical anxieties and worries might be, what drives or motivates them and what makes them sad, depressed or angry. In short, it requires the professional to stand in the shoes of his colleague or client and to get to grips with how they see the world in very different ways than how the professional sees the world. The surprising news is that empathy can be developed remotely, as the predominant skill in building empathy is careful and active listening and this can almost as easily be done by video call as by meeting face to face. It has to be remembered that honest and open communication is an act of the will, not of personality. Sometimes the greatest difficulty is making an effort to listen to the other person and to detect what they might be feeling. This degree of empathy requires hard work and a conscious decision to show an interest. After all, communication is always hard work and although a face-to-face video meeting is better than no meeting at all, nevertheless the full range of perceptive skills, the reading of body language, the fullness of eye contact and the ability to read subtle clues to gauge levels of interest and engagement become much more challenging.

If we knew that the world would normalise within weeks, it might be possible to put relationship-building on hold, but there is a growing sense that communications in the business world have changed for good. Doing nothing to develop and maintain relationships is not an option. Social distancing and remotely conducted relationship building are not easy but these three tools fit together to bring about a better solution than complete inactivity. Furthermore, the absence of travel time and the reduction in prosaic and circular meetings gives lawyers and other professionals more time – albeit remotely – to connect and reconnect. A new equilibrium or homeostasis can be achieved to build relationships through empathy with people in respect of whom professionals have either lost contact or where the association has reached only an outer circle of mutual affinity that is far outside the ideal circle of trust.