

Leadership: Agility in the Face of Fragility

Leaders who ignore the fragility of themselves and those with whom they interact may soon realize that complacency leads to anxiety or panic.

By Gerry Riskin

Leaders are aware of the imperative to be agile right now. However, many may have a blind spot and are not conscious of or sensitive to the fact that their constituencies are particularly stressed and fragile.

Experts tell us that:

- Business agility is the ability to adapt quickly to market changes—to respond rapidly and flexibly to customer demands and to adapt and lead change in a productive and cost-effective way without compromising quality, all in order to continuously achieve a competitive advantage.
- Fragility is the quality of being delicate or vulnerable.

Because of the pandemic and social

unrest, almost all of the people with whom a leader interacts, both internally and externally, are extremely fragile. So are the leaders themselves, whether they are aware of it or not.

At a recent seminar conducted by my friend, the lawyer and PhD psychologist Larry Richard (lawyerbrain.com), he suggested that we lawyers are not the most resilient group in society. In fact, we have a higher need for predictability than most and are vulnerable when confronted by changes, especially if the changes come without warning, result in a significant loss of control, or carry with them the possibility of injury or even death. The pandemic and social unrest tick all the boxes.

Many lawyers, and perhaps especially those in leadership positions, are typically not very closely connected with

their feelings. They tend to be highly analytical and rational and are accustomed to detaching from emotion.

So, when I ask legal leaders how things are going, I'll typically get an answer that's very self-confident and positive, such as, "I think we're doing okay and managing things quite well."

It's not true. That is not to say those leaders are lying to me; they are more likely deceiving themselves and perhaps suppressing their own feelings.

Those leaders are not "okay" if they and those with whom they work are not sleeping as well as they used to and are exhibiting symptoms of anxiety and possibly clinical depression. Asking most leaders how they are doing is too often the equivalent of asking a colorblind person to describe the colors on a painting.

WHY SENSITIVITY TO FRAGILITY IS ESSENTIAL

Imagine for a moment that in your leadership role, you wish to communicate (likely virtually) a message regarding firm strategy with your partners and staff. At the same time, there is a fire near enough every individual in your audience that they can smell smoke but are not sure exactly where the fire is or what is burning. Nonetheless you proceed to deliver your important message.

Will your audience immediately defer their concerns about the smoke and give you their undivided attention? Those few who have rationalized that the smoke is probably emanating from someone's controlled (safe, clean and legal) fire being used to eliminate some refuse may not be distracted. They may track with your message.

But, the many who are very concerned about the fire, believing it may be life-threatening, will hear almost nothing you say. The fragility that inevitably follows their discovering the danger converts them into a fight-or-flight mode, which causes their normal cognitive abilities to shut down.

AGILITY

Recent events are creating rapid change and threats at magnitudes that most people have never experienced before, making it essential that leaders manifest agility. This compelling necessity calls for an unprecedented level of awareness, innovation, invention and, I argue, sensitivity.

Then why are law firm leaders failing?

Too often, law firm leaders are trying to demonstrate efficiency while missing efficiency's companion, effectiveness. "Efficiency" is doing things right. "Effectiveness" is doing the right things. Doing the wrong things well is pointless.

Many leaders are ignoring the fact that almost all the people with whom they are interacting are extremely fragile. Right now, there is smoke everywhere. Those who become complacent to it are rapidly punished: Anxiety continues to grow, in some cases into panic.

Why does this matter?

If a doctor removes bullets from critically wounded soldiers on the battlefield but ignores the post-traumatic stress that

may cause those patients to take their own lives, what has the doctor accomplished by removing the bullets?

For that doctor, or law firm leader, or lawyer serving clients, the challenge is that fragility becomes invisible when it hides behind the brave face of self-denial. Those who fail to recognize the pervasive fragility of this time reduce their "effectiveness" score to near zero. A great leader serves those in their charge. Partners and staff will elevate their performance for leaders who both care about and understand them. Similarly, client-satisfaction levels rise when they believe their lawyer both cares about and understands them. It follows therefore that the leader's sensitivity to fragility needs to permeate all the firm's personnel.

So, what is the action plan?

Checking in with law firm personnel to make sure they're getting their hours in and their invoices out is necessary but not sufficient. If leaders expect members of the firm to perform, they are going to have to engage on a more personal level that allows their partners and staff to feel appreciated, cared for, understood and supported. This care and appreciation must extend to the families of these individuals—the spouse of a partner who is contemplating a lateral move will not argue in favor of staying put if that spouse believes the firm has been cavalier and unfair to that partner.

If lawyers want to garner or maintain the trust and confidence of their clients,

they must take the same approach. Firm leaders must ensure that everyone in the firm has the appropriate level of awareness of the fragility of those they supervise, as well as clients they serve—and the tools to deal with the fragility they discover.

Outreach to all constituencies is now imperative. Asking about the objective reality of the client's business is once again necessary but is now, more than ever, insufficient. If the client does not feel understood or cared about, then their trust in your lawyers and staff may evaporate.

Whether a leader asking partners and staff or a lawyer asking a client, open-ended questions may be helpful. It could be something as simple as, "How are you doing?" but said in a way that makes it clear that you really want to know.

If the person you are asking opens up and seems not only willing but possibly eager to discuss their situation, then ask more follow-ups like, "What is your situation?" If appropriate, ask personal questions like, "Are you living alone or with a significant other?" or "What are your challenges?" or "What's the hardest or the best part about working from home?" In reacting to answers, probe or dig deeper with questions such as, "What's that like?" or "How do you deal with that?" Use empathy in your answers: "That must be pretty difficult."

Why is this so important now?

Clearly, advice to use sensitivity and care should be standard practice in good times as well as bad. Unfortunately, even at the best of times most law firms (and too many individual lawyers) are woefully inadequate when it comes to manifesting appreciation, care and sensitivity. In good times, law firms can get away with it, but in a time of universal crisis like the one we are experiencing now, they can't.

I acknowledge that many individual lawyers and some firms are exemplars of care and concern, and they reap the competitive rewards of that approach. Their

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clients regard them as exceptions to the kind of negative lawyer stereotypes so many nonlawyers love to make jokes about.

Unless the firms that are not such exemplars adapt quickly, present circumstances will extract a heavy price. Without strong leadership and a rapid action plan, those firms will experience declining work and profits and lose some of their best talent. Some of these firms will cease to exist; whatever glue held existing clientele to them in the past will quickly deteriorate as clients are wooed by competitors who they believe better understand and empathize with their exceptional needs.

SUMMARY (REQUIREMENTS OF LEADERS: AGILITY IN THE FACE OF FRAGILITY)

Our current circumstances magnify what is required of leaders. Good leaders demonstrate care and appreciation for partners, associates and staff, and their families. They train all firm personnel to follow suit with those they supervise and with the clients they serve. And, they remember to contemplate and reach out to referral sources, past clients, prospective

clients, other professionals (like accounting firms, etc.) and any others who may be relevant to your particular firm.

THERE IS NO NEUTRAL (AKA "THERE'S NO ROOM ON THE FENCE")

If I ask you about a brand that you are familiar with, chances are you will respond either positively or negatively. Most people have brand preferences. Your firm is a brand. At one end of the curve, clients may be intensely loyal. At the other, they'd leave you for a more appealing competitor if switching weren't such a hassle. In my survey experience, very few, if any, clients would say, "I don't have an opinion either positive or negative. I am neutral. I neither like nor dislike my law firm."

Failing to address the fragility of your constituencies at this time will not leave you in a neutral position, but will rather put you in an increasingly vulnerable one.

The saddest part is that your silence or aloofness will be regarded negatively. Those you orphan will not be sure why they developed antipathy toward you (and neither will you). After all, you're

still the same "you" who was doing okay in the past. What happened?

Leaders, the answer is simple. Take action now. The future of your firm depends on it.

MY PERSONAL OFFER

A Zoom call to discuss your firm's particular circumstances is on the house. I will help you customize your plan to deal with the fragility to which I have now (hopefully) sensitized you.

REFLECTION

As you contemplate this article, you may enjoy listening to "Fragile" by Sting and Stevie Wonder. **LP**



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