

New Effort on Talent Management

In this, the second article in a three-part series on talent management, we focus more closely on what innovative initiatives law departments are using to capitalize on existing capabilities and what steps some of them have taken to continually add to the effectiveness of team performance.

In the first of these three articles, we focused on three principal issues facing law departments. These issues provide a context in which talent management has been brought into sharper focus and provide part of the answer to why talent management represents an important agenda item for law departments. More compelling still, but of less of obvious significance, not least because the effects are difficult to measure, is the potential impact this has on individuals, the team and the department's stature in the organization.

Training and development is a familiar phrase and one which conjures up various images for professionals. Its initiatives invariably focus on what has come to be known as 'up-skilling,' be it technical or management related. Talent development is much broader than simply training for skills. Talent development is a portmanteau term for increasing everyone's capabilities. This article breaks the talent management into two levels, group development and individual development.

Group Development

Talent development techniques exist in abundance in law departments. A recent survey of large law departments found that a "formal management/leadership skills development program for attorneys" was tied with one other initiative as the one most commonly underway (Chief Legal Executive, Fall 2002, pg. 47).

Talent development in law departments often starts with teamwork exercises, designed to capitalize on complementary skills to boost their team's overall effectiveness. For example, the law department of AlliedSignal (before becoming Honeywell) undertook the development and customization of training in many aspects of talent management, including team building.

Good teamwork is much talked about - high performing groups almost inevitably demonstrate smooth teaming - but rarely well practiced. It is often assumed that teamwork is either inherent or can be self-taught. A more effective approach was recently adopted by the law department of a leading financial institution which hired specialists in measuring and improving teamwork. The law department of a major city invested in group leadership training in 1999. The workshop focused on teamwork as well as the supervisory skills senior lawyers needed to exhibit, such as feedback, communication and motivation.

A second method for mastery group development is to empower communities of practice. At one high-

own law department, a community of practice arose around issues of internet commerce. Various business units, each represented by several lawyers, encountered legal issues doing business on the Net. With a community, whose infrastructure consisted of an Intranet site, periodic conference calls and simple identification, the company's lawyers could cope more easily and consistently.

One as-yet-unreported measure of teamwork comes from the sociologist's tool of social network analysis.

Researchers use this technique to map important features of collaboration:

- (1) With whom do you routinely communicate? and,
- (2) To whom do typically turn for information to do your work?

Informal networks - social networks - are especially important in law departments, where people use personal relationships to find information and do their jobs. In one study, engineers and scientists were five times as likely to turn to friends or colleagues for information as to turn to impersonal sources such as books or the Internet. In a legal department, information networks provide strategic and operational benefits by enabling lawyers to collaborate effectively. In the near future, a progressive law department will look at its own operations through sound network analysis.

Individual Development

Perhaps the most significant change in talent development in law departments in recent years has been the shift from group to individual development. A key factor in this process is a shift in emphasis toward the lawyer taking greater responsibility for identifying her needs. For example, the law department of an insurance company has devised a scheme with a major provider of conference programs whereby for a fixed fee each year its lawyers can attend as many conferences as they wish. Instead of making costly course-by-course choices, individual lawyers select those most useful to them and which they manage to meet their CLE obligations.

More progressive law departments are investing heavily in their future leaders and high-potential lawyers through executive training programs. An insurance company's law department, for example, sent one of its best and brightest to an executive MBA program at Columbia as a result of which she was much more conversant with her client's needs. Another law department sent its General Counsel to a Harvard Business School program called "Leading Professional Services Firms." It has been reported that Pfizer sponsored MBA programs for six lawyers. These intensive courses stimulate the mind, broaden one's outlook and induce the best to stay with a department.

This is not a new phenomenon. As far back as the early '90s, General Electric Medical invested in training its management-level lawyers. Senior attorneys attended a week-long course externally and others attended week-long courses sponsored by the company. At the time, clients paid approximately

\$6,000 for each course. The furthest extension of this idea could be at McDonald's, which was reported to offer sabbaticals to its employees who had completed 10 years with the company (Business Law Today, March/April 2003 at 25)

Another twist on to talent development is coaching. The goals of coaching are to improve the lawyer's ability to observe and process self-reflective data, to accept and learn from feedback, and to participate with the coach in identifying and solving his own problems. Coaching combines personal strategic consulting and problem-solving counseling.

While training is generalized and usually targeted at specific skill sets, coaching is personalized and holistic, often addressing issues important to the individual, which might have no obvious impact on effectiveness but which are profoundly linked to motivation. When combined they are highly powerful. A 1997 study found training on its own increased productivity by 22 percent while training plus coaching increased productivity by 88 percent.

A number of law departments have invested in coaching programs. For example, one section of a global bank's law department has arranged for its team of senior lawyers to be coached. The coaching program includes a full battery of psychometric tests, a group explanation of the process, and a series of individual meetings with experienced coaches.

Executive coaching, very much a vogue topic in the corporate world, has reached the ranks of general counsel. At a telecommunications company, the general counsel has available a trained coach who helps that lawyer understand dealing with people, making decisions, organizing activities, and becoming more effective. At a pharmaceutical company, the general counsel benefits from a personal coach who periodically advises him on personal style, setting objectives and effectiveness. The legal department of a manufacturer in the mid-Atlantic region has made a coach available as far down the ranks as its senior lawyers.

External coaches bring experience, objectivity and confidentiality, but a variant allows peers to join in. In co-coaching, two lawyers in a department agree to coach each other. True, they may lack the expertise of professional coaches, like those who helped the global bank's lawyers, but they have a much better feel for the culture of the company, the demands of its clients, and the nuances of the work and department. Once the co-coaches agree to the program they will follow, it is up to them to extract as much value as possible.

Other talent management techniques for individuals include rewarding technology skills and exploration to maximize the return on investment. A telecommunications company's law department set up a system whereby prowess demonstrated on software earned you the right to obtain the latest software. In one instance, a lawyer did so with voice recognition software.

Encouraging an ambitious lawyer to join and lead bar association groups can improve the lawyer's contribution to the department if by doing so the lawyer is able to demonstrate mastery of a topic. A secured lender's law department boasted having one of the country's leading authorities on Article 9 of the Uniform Commercial Code. Subsidizing an enthusiast's involvement in a bar association easily returns the investment.

Summary

Many general counsel recognize the importance of talent management in terms of group effectiveness as well as individual retention, satisfaction and personal development. But talent lies deep in many law departments and must be mined and smelted for it to yield the most. At its core talent management means a commitment to and investment in the department's chief asset, its human capital. The techniques for enhancing talent covered in this article indicate the range of methods that can help do this. However talent development is a dynamic process, particular to each law department and continually evolving. What innovative techniques are you employing?