

General Counsels Need to Lead the Legal Department

The earliest researchers studied "great men" ("great women" being in short supply) to identify "the traits" which they exhibited as leaders -- hence the trait theory of leadership was born. Later, it was recognized that a leader's effectiveness was not simply derived from his or her traits, but was highly dependent on the context in which the leader operated. Thus the situational approach to leadership was born. So, for example, when managing a crisis, a more directive style can be more effective than an instructional style, whereas when trying to bring out the best in people, a more inspirational enabling style is more effective.

Today's leadership picture, having evolved further, centers more on behaviors, attitudes and activities. Some behaviors may be inherited, but others can be developed. Attitudes are much more malleable. So leaders are both "born" and "made." Leaders also need to be attuned to their environment and adapt their behaviors to different contexts, so flexibility is also key.

By defining effective leadership through the lens of behaviors and activities, successful general counsel can improve their leadership abilities in a number of ways:

- Creating a vision. A general counsel should show the way, by setting the vision and direction for the department. Setting out how the department will serve its key constituencies -- internal and external clients, stockholders, the public -- plays a part. Defining the level of excellence expected of the lawyers and staff plays another part. Deciding the balance between inside counsel and outside counsel also has a strategic role, and thus falls under leadership;
- Demonstrating the behaviors required to support the vision. This means identifying the behaviors and then modeling leadership behaviors, and encouraging others in the law department to act similarly. For example, if one of the behaviors is to work collaboratively, general counsel should take time to listen to their lawyers as professionals and as people;
- Enabling people to face rather than avoid tough realities. Once the vision and desired behaviors are set, a key activity of leaders is to identify the gaps between this and the current reality. This involves having so-called courageous conversations about how to close the gaps. Just as moral integrity means little until sticking to your beliefs can cost you, so too leadership in a general counsel means little unless you make the hard calls: terminate the weak performer, stand up to cost cutting, choose law firms on merit, give bonuses only to the deserving. This is risky and tough work, but it defines law department leadership;
- Fostering cohesion. Good leaders move people towards common ground through collaboration and sharing. This requires listening and encouraging participation rather than the leader undertaking all the work or making all the decisions. Every general counsel has direct reports,

but does not let them make decisions and support them;

- Rewarding and celebrating. It helps to periodically stop and take stock of the department's progress, celebrate the achievements and recognize individual contributions. Here, the well-known image of servant leadership comes to the fore. A general counsel worth following is a general counsel who aims the limelight all over the department;
- Providing training and development opportunities. Unlike learning technical legal skills, leadership development focuses on shaping behaviors. Self-awareness is key to behavioral change at the individual level. This means general counsel need to ensure professional development includes sessions on raising levels of self-awareness. This is where individual assessment tools and executive coaching have a role to play in providing objective feedback and guidance as to how individuals and teams can break old habits and develop new behaviors.

Finally, there are a handful of steps that general counsel can take at a personal level to build their leadership effectiveness:

Build in time for reflection. This means setting aside time to examine and review your own behaviors and how they affect others. Ask yourself: When in the middle of a crisis, how do I stand back and gain perspective? When a situation isn't turning out as hoped, what role did I have to play in it? What can I do differently in future? How are the lawyers in my department different in style, motivation, abilities, and what does that mean about what they need and expect from me?

Second, seek feedback on a regular basis, both from the business and legal side of the company. Ask yourself: How often do I ask for informal feedback? Do I tend to go to the same people? Who do I avoid seeking feedback from and why?

Third, ensure you have adequate rest and replenishment. This is the ability to relax, restore perspective and recharge your batteries. The pressure cooker of leading a legal function needs a regular release valve. Ask yourself: Do I build in regular time away from work for renewals? What activities restore and reinvigorate me? Do I monitor those in my team to ensure they are gaining the respite they need?

Effective leadership within the corporate legal department is increasingly getting the attention of senior executives; even if not, general counsel leadership is essential to drive departments which are under increasing performance scrutiny. To meet these challenges, general counsel who aspire to be more than managers -- to be leaders -- need to have a clear sense of the behaviors they need to role model, the activities they need to encourage and the training they need to provide to develop the best talent in their department.