Excerpt

THE LEADING LAWYER: A GUIDE TO PRACTICING LAW AND LEADERSHIP

Robert W. Cullen

FOREWORD

Bob Cullen has got it right when he says that it’s about time that “lawyers get in on the (leadership) game.” None of us, lawyer or non-lawyer, has to settle for the viewpoint that you either are or are not a leader or, as Bob writes the idea that some people got it and others don’t. Being a good lawyer and being a good leader are not mutually exclusive. The point is that high performance at an individual, organizational or even societal level requires leadership. Indeed, without leadership, progress is not possible. As management guru Peter Drucker is credited with saying: “Only three things happen naturally in organizations: frustration, confusion and under-performance. Everything else requires leadership.”

Look up the word “leadership” in the dictionary, and see what it says: “to travel, to guide, to go.” Leadership is all about taking people to places that they have never been before. It is all about finding solutions to problems that have never existed before; and making the most of opportunities that are peeking out just beyond the horizon. To paraphrase Einstein: insanity is the belief that one can solve a problem by using the same tools or mind set which crafted that problem in the first place. We call upon lawyers and the legal profession to help us do things we have never done before; to make things happen which are not currently taking place; to address problems that are not taking care of themselves. Don’t get me wrong, there is lots of room for disagreement about the best solution, but no denying the fact that none of us would be talking or taking any actions if someone or something hadn’t stirred our imaginations to new possibilities (or at least a distinct unhappiness with the way things are right now).

Lawyers have not traditionally been educated for leadership, or at least not so directly, though history records the impact (leadership) that lawyers have had upon the world. And it’s not just lawyers whose formal education experiences have typically been devoid of leadership development. The same can be said about medical practitioners, engineers, architects, scientists, teachers, politicians, civil servants, and even law enforcement personnel. Each profession, each guild and craft, has educated its members for competence - expertise in their subject matter - all too often at the expense of understanding what to do with that same expertise to frame a more just and humane enterprise, community or nation. As St. Ignatius of Loyola, founder of the Jesuit Order, who adopted education as the route to enabling a better world, explained: “To know and not to do, is not to know.”

While Bob properly looks at the skills required for lawyers (and for that matter for the rest of us) to lead, let me underscore even more strongly the necessity of becoming a leader through exploration of your inner territory, for that’s where action begins. You need to be asking yourself such questions as: Who am I? Why do I do what I do? What really matters? Who am I serving? What sacrifices am I willing to make, or not? There’s too much attention being given to the head, and not enough to the heart. Leadership begins with the heart. Leaving all the jokes aside about the nature, or size, of a lawyer’s heart, the truth of the matter for leaders in any realm or profession is that leadership begins with something that grabs hold of you and simply won’t let go. Of course this sub-text reveals itself nicely in “principles” that are so well articulated by all of the Leading Lawyers that Bob interviewed and studied, and quotes (their wisdom) throughout this text. But if you are just picking up this book you’ve got to ask yourself, so where did Cabraser, Garza, Giuliani, Grey, Heineman, Kennard, Krupp, Loris, Panetta, Sonsini - or Marshall, Lincoln, Gardner, Klein, and the dozens of other examples provided by Bob get these “insights” in the first place? Read the life story Bob shares about Justice Kennard and you get the sense of how the person makes the lawyer and not the other way around.

I hope you use this wonderfully insightful and practical book that Bob has written to help you “find your voice” and to recognize the crucial cornerstone that “relationships” have in the leadership process. In every book on leadership, this one and any that I’ve co-authored, we can’t tell you the words to say as a leader because then they would lack the authenticity required of leaders. This is similar to what author Anne Lamont tells would-be writers: You cannot write out of someone else’s experiences. You have to write out of your own. Otherwise, the words sound like someone else rather than who you are and what you are about.

Certainly - whether as writers, lawyers, or as leaders - the leadership development process begins by learning about the techniques and mastering the tools of your craft, but this is simply the first stage in the process. In the second stage, you learn about the “masters” of your craft and determine what they did and attempt to copy or mimic their styles or try on their clothes in your attempt to become one of them. Many never progress beyond this stage to the final one which involves finding your own voice, your own style, your own answers to the questions of right-and-wrong, of what matters and what is trivial, of what to focus on and what not to be distracted by, of who and what in your life matters. This final stage takes you deep within yourself, requires you to explore your inner territory (even those places that you may have locked away or find frightening), and eventually to locate your own true internal magnetic north.

But leadership is not just about you. It’s about a relationship with others, and recognition that nothing extraordinary is accomplished all alone. Building such relationships as a leader will eventually mean putting the welfare of others above your own, for only in this manner will others want to make the commitments to you and to your voice that are eventually required for greatness: “I want to be in a relationship with you,” (personally and/or organizationally), “because by doing so I will be better off than I would be by myself.” And what sustains this relationship in the long run is recognizing and appreciating the paradox that leaders turn their followers into leaders themselves.
Finally, as Bob reminds us, while leadership is necessary for success, it is neither sufficient nor can it guarantee success. At a fundamental level, leadership is an act of faith, a belief in a better outcome or future. We’ve come full circle because leadership is a test of who we are and what we care about. Leadership author Patrick Lenconi told us that he learned early on that despite his earnest desires to lead before it could happen he had to wrestle with the fundamental questions of “Who did I want to serve?” and “Am I ready to sacrifice?” If leadership were easy we would all be doing it, and books like Bob’s and mine would be unnecessary. The fact is that leadership is hard work, the personal gains may be minimal, and the costs great.

But you (this reader, right now) are different, and you believe that you make a difference and that what you do matters, and that the law and your legal practice are a means to a better tomorrow. Bob and I salute you. Read on, and get ready to accept the challenge of taking us to places we’ve never been before.

Barry Z. Posner, PhD
Dean and Professor of Leadership
Santa Clara University

References:


CHAPTER ONE: The Stock Options Are in Column B

After spending a few years teaching in the law school at Santa Clara University, I was hired by John Baird, a well-known leadership expert and principal in ExecutivEdge Consulting, a very high-level Silicon Valley executive leadership and coaching firm. Together, John and I, with another colleague, created a leadership seminar which was presented to the corporate legal department of a multibillion-dollar Silicon Valley software company.

We worked under the auspices of the company’s senior vice president, who was troubled by complaints from department heads, indicating that their in-house lawyers considered themselves defenders of the corporate assets, risk avoiders, and did not adequately understand the needs, issues, or overall goals of the company’s other departments. The lawyers were often criticized for getting in the way of innovative deals, they were not always the best team members, and they sometimes interfered with productive interdepartmental efforts. They were focused on risks to the company rather than problem-solving opportunities. This, as we all know, is not an atypical complaint; and, interestingly, the idea that an in-house lawyer is a protector of the corporate assets is a valid concept. However, the senior VP wanted the lawyers to become integrated team players, facilitate more deals, and help the company innovate responsibly, in addition to their traditional roles of ensuring appropriate risk-mitigating safeguards.

In a meeting with the senior vice president, we started listing conventional skills of lawyers (Column A) and outlining attributes on which he wanted us to focus (Column B). These were our whiteboard lists:

<table>
<thead>
<tr>
<th>COLUMN A</th>
<th>COLUMN B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Analytical</td>
<td>Innovative</td>
</tr>
<tr>
<td>Advocate</td>
<td>Collaborative</td>
</tr>
<tr>
<td>Detail-oriented</td>
<td>Goal-oriented</td>
</tr>
<tr>
<td>Law-driven</td>
<td>Team driven</td>
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<tr>
<td>Critical</td>
<td>Cooperative</td>
</tr>
<tr>
<td>Protective</td>
<td>Opportunity-oriented</td>
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</tbody>
</table>

As we were writing these descriptions, I knew that Column B skills were not natural to attorneys. I was concerned that our educational and professional tradition did not provide us with the appropriate background. Lawyers are trained to assess existing conditions and legal constraints and to minimize risk.

“The purpose of leadership isn’t to put money in your pocket or to acquire fame. The purpose of leadership is to improve the future. It’s to improve the lives of others for the future.”

Leon Panetta
Panetta Institute for Public Policy

“Lawyers are taught to be very powerful analytically, but they are not always taught to ask large questions and then to understand what tools are necessary to answer those questions... My view of leadership is broad. It is not just ‘legal leadership,’ it is leadership in a variety of different settings, whether it is intellectual, non-profit, for-profit, executive branch or legislative leadership.”

Ben Heineman, Jr.
Former General Counsel for General Electric
We were trained by our law schools in the skills of Column A, not those of Column B. Most of our time was spent learning how to think like lawyers, advocating rights and positions, and reading appellate decisions and statutes. We generally are not trained to understand business models, develop business solutions, or facilitate new economic or social possibilities. After graduation, most of us spent our professional careers using Column A skills almost exclusively. During our brainstorming session, I wondered how the lawyers would be motivated to learn the Column B skills. I came to the conclusion that it would take innovative training and renewed motivation. However, what would be the incentive for lawyers to redirect their skill sets and integrate these qualities into their jobs and practices?

Then, the senior VP provided us with an insight into one’s motivation for change. When I asked him about the incentives in the corporation for lawyers and their career paths in the business, he said that he hoped to make it clear to all of his employees, including the law department, that the stock options are in Column B. This remark came at a time when stock options were more popular in Silicon Valley, but his point was clear: lawyers who possess both legal and leadership skills had the best chance of career success in this billion-dollar software company. The VP expected all of the employees, including attorneys, to maintain their core skills and develop leadership skills. If one wanted to become general counsel, one needed to master the skills of Column B.

I came away from that experience thinking that the advocacy model, which focuses on the protection of rights and is the foundation of our legal education and practice, was not broad enough to deal with the varied roles that lawyers must fill in the New Economy. In this case, the VP wanted more from his lawyers: he wanted imaginative thinkers and team members. He needed them to provide top-level legal analysis and protect the assets of the corporation, but he also wanted them to build relationships with their clients and help meet corporate goals. Most of all, he wanted the lawyers to become business partners and leaders within the organization beyond their expertise in the law.

I would not suggest, of course, that we eliminate the traditional basis of our mission. Advocacy, reducing risk, and protecting rights and obligations are central components of our jobs in the criminal justice system, civil litigation setting, and in our practices in general. However, the advocacy and rights-protection model is inadequate to deal with many of our clients’ concerns. In the business world, the government sector, and even service-based nonprofits, many lawyers find themselves in situations which are neither rights-driven nor advocacy-oriented. In the corporate setting, reduction of risk and protection of rights and assets is an important part of the overriding goal for general corporate counsel, but it is not enough. While we cannot eliminate the rights and advocacy model, our clients want us to simultaneously join in the collaboration process to solve problems and create positive change. In other words, lawyers need a new menu, where we pick one from Column A and have the ability to pick one from Column B. We need to become more diverse advocates to not just champion our client’s position, but also generate creative solutions and initiate positive change.
1. **Leadership Is the Essential Characteristic of a Successful Organization**

Leadership skills are not some vague and amorphous idea (lawyers, stop rolling your eyes). We can all hone our abilities to become more persuasive and substantive experts; in addition, by learning a few simple concepts, we can become something more: we can become Leading Lawyers. Clients want, and are in fact beginning to demand, that you combine your lawyering talents with leadership skills. The need to develop and expand leadership qualities has for decades been religiously preached in widely respected and commonly used business and government leadership models across the globe. Why is it important? Because therein lies the future of the legal profession and the key to our success. Let me provide you with a few examples of how the exceptional use of leadership ability allowed individuals to create positive and lasting change within their organization.

**a. The Best Businesses in the Nation Teach Leadership**

One of the fundamental keys to Chairman and CEO Jack Welch’s success at General Electric was his leadership insights and his desire to teach leadership techniques to General Electric employees. Welch devoted half of his time to “people” issues because he believed in the power and abilities of his people at GE. He connected with all levels of GE, from his top executives to the hourly worker. Welch was known to make random visits to GE’s plants and offices, eat lunches with managers, and was famous for his personal handwritten notes to employees. Employees felt as though Welch cared about them and their jobs, and the notes served to both inspire and demand action.

He was also a dedicated leader, continuously teaching three-week development courses throughout his career for different managerial levels; he chaired all strategic planning meetings with GE’s top 500 executives in Boca Raton and also taught leadership sessions at Crotonville, a dedicated management training center. As a result, Welch’s leadership style was replicated through the ranks, and “best practices” were shared among GE’s differing businesses. Welch set specific performance goals and monitored them throughout the year in addition to giving his direct-reports written performance evaluations. Again, Welch’s style of accountability was repeated by his business chiefs and their direct reports so that a cohesive system existed, and because “…the function of leadership is to produce more leaders, not more followers.” The business characteristics Welch implemented led to the development of leaders at all levels of GE and to GE’s monumental success between 1981 and 2000.

Former Goldman Sachs CEO Henry Paulson (and current Secretary of Treasury), made it his practice to teach six-hour accountability and leadership sessions to all 1,200 of his managing directors while heading the world’s largest investment bank. Paulson also made it a point to speak at the orientation for new analysts and associates. He evaluated the health of the company and planned for its future by discussing its successes as well as addressing his and Goldman Sachs’ mistakes; he continually sought to learn from those mistakes and make improvements. The culture of leadership is critical at Goldman Sachs according to managing director John Rogers: “Our bankers travel on the same planes as our competitors. We stay in the same hotels. In a lot of cases, we have the same clients as our competition. So when it comes down to it, it is a combination of execution and culture that makes the difference between us and other firms.”
The pattern of CEO-level involvement in leadership development is also part of Best Buy’s success. CEO Brad Anderson personally works with 100 to 200 Best Buy employees every month. He focuses on this personal and an informal style of coaching because, in his opinion, it is more genuine and conducive to fostering a human connection.

Cisco Systems is run by John Chambers, who is interestingly enough a businessman and a lawyer. Chambers once said that:

*Fifteen years ago we said we would change the way the world works, lives, plays and learns. Today, this company has the ability to understand and adapt to change, with a balance of leadership in four key customer segments. We have the courage to change, are setting the pace for change in our industry that’s never been seen before, and have the vision to take our customers into the future...*

At Cisco, leadership development has been made a key component to employee success. It is supported through e-learning classes and more traditional advanced degree programs. The e-learning classes were developed by Cisco to further the development of team leaders and managers. Employees have the choice of instructor-led, Web-based, or e-tool courses which develop skills in the area of coaching, business, networking, management, and leadership. Cisco also offers employees the ability to obtain advanced degrees in business administration, engineering, and technology during the course of their employment.

It is easy to see that the common denominator to the success of these corporate giants is their fundamental understanding that leadership development is needed to maximize output from their employees and themselves. Whether it be through a personal note or an online tutorial, leadership training is an essential element to a successful organization.

b. The Best Professional Schools in the Nation Teach Leadership

The best professional schools also teach leadership as an important skill needed for educational success. Credible scholars have compiled reliable research on the attributes and skills that make a leader successful, and have produced sound leadership models that are academically grounded and, most important, functional. The two primary branches of research on leadership have developed in the business schools and universities that focus on government and public sector leadership and have become sources upon which we can rely.

Harvard, Stanford, Wharton, and many other business schools have been studying leadership in their organizational behavior departments for decades, and leading universities across the nation have strong leadership curricula for their business graduate students. At Santa Clara University, we are lucky to have one of the leading scholars in this area, Barry Posner. He is the coauthor of The Leadership Challenge, a seminal work on leadership in the business world. Naturally, the business school at Santa Clara places a strong emphasis on leadership as important to the overarching mission of the university.

The universities that focus on government and public policy issues, such as Harvard and Yale, conduct extensive studies on, and analysis of, leadership performance. No better work exists than that of Harvard’s Kennedy School of Government, which has developed a variety of leadership classes. These
schools have some of the best and brightest scholars evaluating leadership concepts at both the worldwide geopolitical and the local political levels. A look at their executive educational programs gives us just a small insight into the breadth of their studies. Their courses include: Leadership for a Networked World, providing a practical guide to the design of new governance and institutional structures for a heavily networked, boundary-crossing world; Innovations in Governance, which is an intensive executive education program designed to help lead changing organizations; Performance Measurement for Effective Management of Nonprofit Organizations, which is an intense executive education program designed for nonprofit leaders who want to improve the performance of their organizations; and Women and Power: Leadership in a New World, an intense, interactive experience designed to help women advance to top positions of influence in public leadership.

Additionally, Stanford has a dedicated Center for Leadership Research and Development. Their curricula include courses on: Customer-Focused Innovation, describing how companies must create a culture of innovation that harnesses the creativity of its customers, users, and employees; Executive Program in Leadership: The Effective Use of Power, an executive program in leadership designed to help participants put effective, collaborative methods of leadership to work in their organizations and leverage the leadership potential of all members of their teams; and Interpersonal Dynamics for High-Performance Executives, discussing how business leaders live in an increasingly interdependent world where you need others to get your work done with a workshop focusing on improving your emotional intelligence.

Furthermore, even though the primary sources for leadership literature are the schools of government and business, almost every professional graduate school is turning to leadership as a necessary complement to the specialty that it teaches. Even engineering and medical schools are teaching the importance of leadership as a desirable and even necessary component of their specialties. The Massachusetts Institute of Technology (MIT) has implemented a separate leadership class in its Engineering Systems Division called ESD.801: Leadership Development, last taught by Professor Dava Newman, who also teaches Aeronautics and Astronautics and Engineering Systems, is the Director of MIT’s Technology and Policy Program, a MacVicar Faculty Fellow, and holds several prestigious degrees. In the manufacturing department, MIT has created the Leaders for Manufacturing Program dedicated to technical skills and leadership which is “the critical skill that embraces all other activities and gives them focus and direction.”

This brief overview of classes being offered at some of our nation’s top universities is meant to illustrate the growing importance that scholars, public officials, and businesses in all areas are placing on leadership. However, as I am sure you have noticed, there were no examples of law schools that take the same approach to leadership development. That is because there are very few law schools that incorporate leadership skills courses into their curriculum. The best schools in government, health, engineering, and business make leadership a key component in their undergraduate, graduate, and executive educational curricula, but law schools remain behind the curve in that regard. Our leading scholars study leadership; our clients in government, business, and the nonprofit world study it: it is time we lawyers got in on the action.
2. **In the New Economy, Leadership Is Imperative**

The New Economy is a term that was coined in the 1990s to describe the evolution of the United States, and other developed countries, from an industrial/manufacturing-based economy to a knowledge/services-based economy. This shift arose partly due to the increased availability of, and drastic advancements in, technology and partly due to the effects of globalization. It therefore should come as no surprise that our clients and their businesses have also shifted their focus to knowledge-based business models. As knowledge and expertise become more accessible, smaller businesses and firms find easier entrance into new markets. Businesses and firms must now rely on developing new skills sets, fresh management concepts, and innovative leadership ideas in order to operate at peak heights and remain competitive in this New Economy.

Carl J. Schramm is the president of one of America’s largest foundations, the Kauffman Foundation, which operates nationwide to promote an entrepreneurial society in which job creation, innovation, and the economy flourish. Schramm wrote in his book, *The Entrepreneurial Imperative*, that entrepreneurial capitalism is a unique resource in the business world that should be nurtured in its institutions. He outlines entrepreneurial capitalism as an economic and strategic pathway for the economy that rewards risk-taking by those who set out to be creative and innovative and who produce a product or service that generates wealth and jobs as well as security. He predicts that for the United States to survive and sustain its leadership role in the world, politically and economically, businesses must treat entrepreneurship as their central comparative advantage.

The corollary for the legal profession is that leadership is the best model for our careers as individual lawyers and as members of organizations; leadership skills are essential for us to remain competitive in an entrepreneurial world. *If entrepreneurship is the business sector’s imperative, then leadership is the imperative of the legal profession.* This applies to every sector of law including firms that provide services to their clients and participate in the community in which they work and live, legal departments that provide services to their corporate partners, nonprofits who serve the needs of their constituents, and governmental agencies that serve the public and their establishments. Leadership provides the advantage for lawyers and legal institutions. Exceptional legal knowledge and expertise are demanded by our clients, the courts, our organizations, and by society in general, but leadership skill sets and providing outstanding service beyond traditional legal analysis and advocacy is the new critical component to effective lawyering for entrepreneurial clients.

For the last 30 years, researchers have focused on identifying the key traits and skill sets common among the most successful leaders and as Shumeet Banerji, the CEO of Booz & Company, fully understands, “it is no longer good enough to offer advice. Clients want tangible outcomes with superior execution.” What skills then should lawyers have in order to provide their clients with those tangible results in the New Economy?
3. The Leadership Skills Needed in the New Economy

Russell Palmer, the dean of the Wharton School of Business, and also a businessman with extensive experience as the CEO of several corporations, wrote in his book Ultimate Leadership that:

*Leadership is the main differentiator in performance in most environments. People think that formulas, slick marketing, being first, the latest management tool, programs such as Six Sigma, and so on are the key differentiators in an organization. These other areas matter, but leadership alone is the key differentiator between organizations that succeed and those that fail.*

In this new knowledge-based economy, and because information and experience have become more of a commodity, the critical success factors for businesses and professional service firms are leadership skills comprised of credibility, drive and determination, communication and persuasion, creative thinking, vision, and relationship and team building. Lawyers need these leadership skills in order to successfully navigate their clients through an ever-increasing sea of laws, regulations, and sophisticated business concepts in a way that separates themselves from their competition.

**Credibility:** Credibility is made of three prongs: expertise, integrity, and dynamism or inspiration. Clients expect that their lawyer will have the legal knowledge and expertise to provide necessary legal solutions; this is an area where lawyers have excelled and will continue to improve. Beyond law school a host of seminars, continuing legal education programs, and substantive in-house training seminars provide a basis for the education of our professionals. However, while subject matter expertise and experience will continue to be important, it proportionately diminishes in importance as firms, corporate legal departments, and practitioners of all backgrounds gain greater access to information. Therefore, lawyers must compete in areas other than just legal proficiency as expertise will become a threshold. Individual and institutional credibility also require characteristics of integrity and dynamism or inspiration as the basis of their credibility. Leading Lawyers that develop all three prongs of credibility will be the most competitive.

**Drive and Determination:** In this New Economy, it will be the lawyers who advocate the highest of standards and lead by their example that will experience the greatest satisfaction and success. Leading lawyers will seek responsibility and take the initiative to create positive change for their clients or organizations. Beyond all else, a leader understands the need for good old-fashioned hard work. They are ambitious but have the capacity to adapt to changing conditions. These successful lawyers are not only analytically and technically superior in their fields, but they seek to motivate and inspire others in order to further their leadership goals.

**Innovation, Entrepreneurship, and Creative Problem-Solving:** Lawyers will also have to become more innovative, forward-looking, creative, and cooperative as these skills are necessary to compete in the New Economy. Without forgetting our roles as the protector of our clients’ rights, we can expand our roles to correspond to the characteristics this new economic system. The legal profession needs to engage its New Economy clients and provide solutions and opportunities that go beyond traditional advice. If we practicing lawyers only serve our clients in conformity with tradition, we fail to fully meet their evolving New Economy needs.
Communication and Persuasion: Leading Lawyers realize that there are many ways in which to communicate different messages to different people. They will identify the appropriate communication tool and use it in the most persuasive manner in order to implement their vision and accomplish positive change. Effective communication may require the recitation of cold hard facts in appeal to a rational audience or an illustrative analogy that appeals more to the emotions of the listener. The bottom line is that advocacy is not always the best method of communication for a lawyer to employ in the New Economy because clients are looking for deal makers and counselors, not deal breakers and naysayers.

Relationship Building. This is an area where Leading Lawyers excel beyond most others. They do not dismiss the emotional components of communication and persuasion and consistently show strong emotional character and integrity. People who are known to be honest, steady, and reliable often have a competitive edge and their relationships are deep and well-established. It is a primary goal of Leading Lawyers to develop relationships, motivate others, and build well-working teams in every environment. Even in highly stressful situations such as litigation, they establish a working relationship whenever possible, including with their clients and even with opposing counsel and parties. They take a collaborative, noncompetitive approach to many situations, are good at listening, and are open to new ideas. Leading Lawyers use a variety of information-gathering techniques to gather vital information through conversation, dialogue, questions, and interaction. They thoroughly vet their ideas with their colleagues, learn from their adversaries, and collaborate whenever possible. Through inquiry and collaboration, they develop their own emotional insights and inspire the same awareness and capacities in their team members.

All of the skill sets listed above can be learned, and should be cultivated, through leadership development programs within the legal organization. Leadership development and training is the primary element for a competitive future in the legal community. Lawyers will continue to expand their breadth of legal expertise and efficiency through technology advancements, but lawyers will need creative economic approaches and expansive skills (beyond our traditional advocacy and research-based set) to identify needs, opportunities, and solutions for our clients. We need to learn the skills not typically taught in our law school education: how to communicate with and develop a better understanding of our clients; to approach problems collaboratively and creatively, rather than with a solely adversarial approach; to work well with our associates, peers, and even our adversaries; to utilize teams efficiently and productively; to bring the human element (emotions, motivation, and culture) into a discipline that is notoriously suspicious of anything it sees as irrational, emotional, or unquantifiable.

Law firms, legal organizations, and corporations compete by attracting and developing the most promising attorneys and shaping them into the finest lawyers and leaders. Human capital and leadership talent is the distinguishing factor for success now and in the future. On an individual basis, development of leadership skills is an unequivocal way to improve one’s career path and direction. “Any firm that can outperform its competition in building and creating skills, will gain a significant advantage...Competitive advantage does not come from an ability to hire better people than your competitors, but from a superior ability to develop them.”16
Notes


3 Christopher Tkaczyk, “Follow These Leaders”, Fortune, (Dec. 12, 2005).


5 Tkaczyk, supra note 3.


