



DON'T MANAGE CREATIVITY OUT OF YOUR FIRM

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In my experience, law firms fall somewhere on a management continuum from the totally unmanaged on one end, to those overly-managed on the other. Of course, most fall somewhere in between. While the risks and malfunctioning of the unmanaged firm are obvious, those at the other extreme are not so obvious. Let's explore briefly the problems associated with an overly-managed firm, and then take a look at finding the "sweet spot" of management.

Creativity is a critically important ingredient in a successful client representation and service recipe. However, creativity is often misunderstood. Many believe that creativity is the same as autonomy; they're not even close.

Lawyers' are off the chart on a personality characteristic called "autonomy," as compared to the general population. Autonomy is a need to be independent of any management constrictions. This obviously creates management headaches, because a lawyer must agree to be managed, and most do not. Hence the common phrase that managing attorneys is like herding cats. When pushed to answer why submitting to management is so abhorrent, the answer is usually that it hampers creativity.

Actually, the distress felt often has little to do with creativity. Creativity is not enhanced or preserved by disregarding rules about contemporaneously recording time, getting bills out on time, using the firm's preferred font, signature line, or form. Creativity is not expressed by insisting your engagement agreement is better than that used by the firm as a whole, or that your secretary be unaccountable to the standards required of other staff.

All you're really doing in these instances is stubbornly protecting your autonomy; not protecting your creativity. So look in the mirror and come clean about what's really going on.

That doesn't mean that over-management can't stifle creativity. It can and does. Real creativity occurs in development of strategy, solution, written and verbal expression, and visioning. The creative process by its definition must include

sufficient latitude to explore, try, and occasionally fail. Failure provides an opportunity to learn and grow, and start anew.

Many of you know of practice group leaders or supervising attorneys who over-manage. Many of you have personal experience working for such individuals, or have colleagues who have. These are people who are never satisfied with work performed unless it looks exactly like they did it their self.

It's one thing to make sure work is done properly from a legal perspective, and require that the craftsmanship be of high caliber. But for many, a need to micro-manage stifles any crumb of creativity which emerges. This is evident is a zero tolerance for any "failure" as well. If the penalty for trying something different, and having it turn out less than perfect is too severe, there will be a chilling effect on creative thought.

In well-run law firms, it is acknowledged that creative thought often bubbles up from those in the trenches. Staff, who are closest to the work production, often see creative opportunities to improve service or production. Management must not only be willing to listen, but must be careful to develop mechanisms to facilitate that process, rather than discourage it. Over-managed firms tend to communicate from top down only.

Here are the top requirements for a proper management environment, from my perspective. By proper I mean management which creates and maintains an environment which is conducive to maximizing productivity, profitability, civility, teamwork, and job satisfaction, in a pleasant environment, all while providing consistent, high-quality representation and service to clients.

- **Walk the walk.** It's not enough to talk the talk. Good management has to lead by example. Good management must provide a role model which others strive to copy.
- **Live with integrity.** I wrote an article about this topic, and welcome you to write me at lawpractice@pabar.org for a copy. Proudly display company values in what you do and say. Manage people with fair and equal treatment.
- **Change your alignment.** Most firms work on an "us" versus "them" basis. Divisions are everywhere. Teamwork and communication languish in these environments. Be part of the team. Be part of the "us" in helping others succeed. Be more encouraging and less critical. Make everyone dedicated to cooperation and success, rather than



internal competition or division.

- **Make creativity your mission.** Find ways to turn creative thought into creative action. Help to identify potential risks, and minimize them. Celebrate every success, no matter how small. Be more coach than boss.
- **Become vested in the success of others.** Make sure others have the information, tools and training needed to be successful. Remember that a good manager can only move up when he/she elevates the skills of those below. Provide frequent and candid feedback. Criticism should always be provided in private, and in such a way as to clearly map out what would have been a better outcome. Be public in providing accolades. Let all in earshot hear about good performance.
- **Don't be afraid of change.** Ask “just because we've always done it this way, is it still the right way to do it?” Change is what keeps an organization alive and thriving. Not change just for the sake of change. But change because it makes more sense in the current reality. A good manager looks beyond habit to make sure things are still being done in the best ways possible.

There's a lot more to be written on this topic, but space precludes me from expounding further at this time. Your takeaway should be a self-examination of your firm's management style. Hopefully you're not at the unmanaged or over-managed ends of the spectrum. Explore what aspects of the essential areas above you could improve upon. Create a plan to do so. Not sure where to start? I'm here to help.

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