



ARE YOU IN CONTROL OF YOUR ACTIONS?

Ellen Freedman, CLM
© 2018 Freedman Consulting, Inc.

Do you ever wonder what unseen forces drive you to say, do and act? Understanding what is rattling around in the lawyer brain has been an area of fascination and study for me for over three decades. It started when I heard a presentation by one of the founders of this area of study: Dr. Larry Richard, J.D. (www.lawyerbrain.com). Discovering that the vast majority of lawyers have distinctive personality traits which set them apart from the general populace was a game changer.

I am currently greedily rereading a new publication of the American Bar Association: *“Beyond Smart Lawyering – Lawyering with Emotional Intelligence”* by Ronda Muir (www.lawpeopleblog.com). Muir, like Richard, is what I lovingly refer to as a recovering attorney — one who has moved on to another career focused on helping attorneys work and live more successfully.

This book is a fascinating guide to the unique personality characteristics of lawyers. I encourage those of you who want to understand yourself and your colleagues better — to peek behind the curtain — to read this book. It’s a fast read. [PBA members get a 15% section discount when ordering by using the authorization code at check-out. If you don’t know it, send an email to lawpractice@pabar.org with “book discount code” in the subject line and your member ID and County in the message.]

If you couldn’t tell by the title of the book, it goes way beyond explaining the typical lawyer personality. It deals with identifying how you can intelligently understand and control the forces that drive you, and learn new skills which will greatly enhance your ability to navigate in today’s complex and stressful world.

In my seminar entitled “Managing Conflict and Strengthening Resilience” I explain why it’s important to learn the new skills. I quote the world-renowned psychologist Abraham Maslow, “I suppose it is tempting, if the only tool you have is a hammer, to treat everything as if it were a nail.”

Too many lawyers have limited tools with which to work. I know that many of you reading this article have met at least one “brilliant” attorney who has caused

you to question how they manage to get up, get dressed, and get to work each day. It probably left you scratching your head in wonder. Or you've crossed paths with the attorney who acts out inappropriately, reminding you more of an adolescent throwing a tantrum than a professional colleague at the bar.

The truth is that being extremely smart, and even graduating with high honors from the best of schools, is not a guarantee of success. The true indicators of success are found in the level of emotional intelligence ("EQ") the lawyer has developed. Those who have a greater awareness of how they're acting, and how those actions are impacting others, and who then consciously readjust their actions, and apply the most appropriate methodologies (tools) to communicate, resolve conflict, and negotiate a new path forward under the circumstances, will always be far more successful.

Spoiler alert: I'm going to liberally share with you some insights from Chapter 3: "The Business Case for Emotionally Intelligent Lawyers: Four Advantages Emotional Intelligence Brings to Your Practice." Muir spends a lot of time explaining and citing the various studies which lead to the conclusions presented on links between emotional intelligence and success in lawyer practices.

Advantage 1: Emotionally Intelligent Lawyers Are Smarter

Studies have shown that people with average IQs outperform those with the highest IQs 70% of the time. We frequently observe that people who seem to consistently outperform their IQ have exceptional "street smarts" which trump IQ every time. In law firms and other professions, having a high IQ is just the table stakes to get in the game. At that point, when surrounded by others of high IQ, the ability to handle oneself and relationships matters more than IQ. The soft skills like discipline, drive and empathy are what set true leaders and those who will be successful apart from the others.

Point 1: Emotionally Intelligent Lawyers Make Better Decisions

Our brain and thinking process are a combination of two systems. One system is the run by the emotional part of the brain. Yes, the one which is known to trigger the "flight or fight" reaction. It operates the fastest. It is also a reactive system, which is prone to misinterpreting the subtleties of what is happening.

The other system is the rational side which is slower and more analytical. Given sufficient time to analyze what is happening, and review the true desired outcome, the rational side will provide a strong guide for action.



System 1 is more powerful and tends to dominate. Those who are emotionally intelligent learn to recognize and regulate the emotional input, so that it doesn't overshadow the decision-making process. The ability to recognize and regulate emotions that arise during the decision-making process reduces the occurrence of inaccurate results driven by negative emotions like jealousy, fear, pride, embarrassment and so forth. Muir states, "In sum, making the best decisions in the most efficient manner involves being able to accurately assess the various emotional aspects involved . . ."

I suspect that what you've read feels intuitively right to you. I have discovered from decades of experience that it is. But now I can see and understand it much more clearly. And in turn I can now apply this to my work; more effectively help lawyers improve their success and satisfaction, and cope with difficult situations.

Keep in mind that I've only shared with you the first two points of the first of the four advantages revealed in this chapter. So you've just had a tiny morsel of the many revelations to discover. The reading is fascinating.

Some of you will take the time to expand your understanding of what makes you and your colleagues tick. And a subset will wonder how you can improve your own EQ, and overall satisfaction. Sometimes just knowing what's holding you back is half the cure PBA members shouldn't hesitate to reach out to me. We can chat about your specific self-discoveries and needs. I can help you make a plan for improvement. Plus, I have a list of great coaches to assist, depending on where you need help.

A version of this article originally appeared in the June 18, 2018 issue of the Pennsylvania Bar News.

© 2018 Freedman Consulting, Inc. The contents of this article are protected by U.S. copyright. Visitors may print and download one copy of this article solely for personal and noncommercial use, provided that all hard copies contain all copyright and other applicable notices contained in the article. You may not modify, distribute, copy, broadcast, transmit, publish, transfer or otherwise use any article or material obtained from this site in any other manner except with written permission of the author. The article is for informational use only and does not constitute legal advice or endorsement of any particular product or vendor.

