

**When It Comes Time To Instigate  
*Change***

**new**  
**OLD**

By Patrick J. McKenna

# When It Comes Time To Instigate Change

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*Butterworths, 1989 (co-author)*

## The Challenge of Implementing Your Initiatives

I once heard it said that a consultant is like a seagull; they fly in from afar, circle your head a few times, drop something white in your hands and you think it's a report. Only some time after they have departed do you realize what this white stuff really is!

I have since come to conclude that the catalyst for this analogy likely stems from those firms who have had the misfortune of either retaining advisors who are not adequately trained in how to bring about organizational change, or those that prefer not to get their hands dirty in the implementation of their grandiose recommendations.

Indeed, every few years a new theme emerges in law firm management. There was a time and perhaps it still exists where we witnessed resistant attorneys being forced to take the marketing of professional services seriously. We have all since observed initiatives like total quality management, branding programs, alternate billing methods, and project management assume center stage. Meanwhile, many of our skeptical and often times, senior partners have chosen to sit on the sidelines, reflecting upon what this new initiative is all about. Truth be told, these are your partners who are likely to be advising some junior in your firm to “keep your head down, billables up, as this too will pass.”

So why is it that these professionals are so skeptical? All too often, it is a direct result of our gravitating to the temptation of adopting

techniques that have us, either attempting to persuade, coerce or sell our colleagues on some new initiative.

Meanwhile, as firm leader or practice chair, you sit there pulling your hair out and wondering:

- why, when threats or opportunities are so clearly evident, do my extremely intelligent and highly talented colleagues NOT SEE the need to make changes in their personal and/or professional behavior?
- and why is it, when these partners DO see the need to make changes in their behavior, do they often still FAIL to take any real decisive action?
- and further, when these partners finally do take decisive action, why is it that they then fail to PERSIST – and stick with the critical exercise program?

Our professional landscape is littered with firms who introduced various “flavor-of-the-month” programs. Every so often, one of those initiatives produced some favorable results. However, even those firms with the best of results have had difficulty sustaining progress. If everyone is talking about how critical it is to be adaptive to marketplace changes and flexible in being quick to implement some new innovative program, why is it that so few firms are actually able to achieve this goal?

I believe every firm faces an inevitable tension between what it is and what it intends to become. Yet how do you, as a conscientious firm leader or practice chair, ensure that your efforts and priorities are treated seriously such that they become more than just some passing fad?

Here are my four propositions:

#1 Whenever you are about to initiate any new strategy, program, direction, initiative or idea, it's successful implementation will usually always require some or all of your partners to change their behavior, in some way.

#2 The only way in which to introduce and sustain any kind of behavior change within any law firm is . . . one partner at a time.

#3 Your firm will only travel as far and as fast as each partner, and then all partners collectively, are prepared to change their individual behaviors.

#4 Any hope you have, to bring about a successful new strategy, program, direction, initiative or idea is directly correlated to the amount of time, energy, and enthusiasm you are prepared to devote to coaching and helping each partner see the need for change, the need to take action, and the need to follow through.

“If you don’t  
take change  
by the hand

It will  
take you by  
the throat.”

## I. Helping Your Partners See The Need To Change

In most cases, the need for changing behavior is not readily visible or easily understood by your colleagues. If it were visible, we could hardly blame ourselves or someone else for not seeing the need.

The essence of being professional is rooted in doing the right things and doing them very well. Then one day, our competitive environment changes, new client needs evolve, or new competencies are required to be successful - and what was once the right thing suddenly looks like it might be the wrong thing.

So, when we are presented with evidence that a strategy, technology, market approach, or service offering was right in the past but now is wrong, why do we ignore and deny the evidence? Largely this is the result of a natural human tendency to find comfort in the familiar and successful ways of the past. And that is why the first stage of change often results in . . . NO CHANGE!

### **1. Shake Your Partners Free From Their Existing Mode of Operating.**

Your partners have existing views, beliefs, and values; and they maintain them for one primary reason – they have worked in the past, and as far as that particular partner can see, they continue to work. There are great pressures to respond to shifts by doing what

you know how to do, rather than by venturing into unknown territories or practices. This is not about trying to teach an old dog new tricks. Rather the challenge is how to teach your old dogs to unlearn the old tricks!

Unfreezing each partner's willingness to change begins with altering how that partner (individually, and then collectively) views your firm, their practice, their external business environment, the various competitive forces, and their future career prosperity. You must recognize that many of your colleagues have strong existing habits and beliefs and you must invest the time (most often in one-on-one, informal meetings) to determine what those beliefs are. Without this understanding, it is almost impossible to overcome any of your partner's failure to see.

Until you recognize that your partner's views on accepting the need for any kind of change, are blocked by their existing beliefs that argue for past successes and against future change, you will fail to break through the barrier to change. If you cannot break through their inbred views, biases, prejudices, and beliefs – their hearts and minds will not follow.

A professional firm changes only as far, as fast, or as easily as each partner is prepared to change their personal behavior. If your initiatives can't get off the ground or lack staying power, it would seem that your partners have not bought in to the program. Indeed, many partners may find it far more comforting to hang on ferociously to what works, until undeniable evidence finally rips their fingers from the supposedly tried and true.

Here are some tactics that I have found helpful to employ in assisting your partners see the NEED for change:

- ***Draw them a picture and initiate dialogue on the data.***

The first thing you have to do is draw each partner a picture that clearly presents the problems of the present with the possibilities of the future. We often fail to understand that our colleagues are working flat-out, fourteen hours a day, serving their clients and often are not privy to the latest competitive changes in the outside world, profitability problems, or new trend issues. If we then don't put our colleagues in touch with the relevant information, in the absence of anything to the contrary, they quite rightly assume that everything is working as it should.

You need to create visual images and verbal pictures of the old and new so that the distinction is understood as more than mere rhetoric. You then have to enhance the simple descriptions between the old and new - the distance between those two descriptions, such that the greater the disparity presented, the easier for your partners to actually see the difference and begin to recognize the acute need for change.

Let's use as an example, the initiative that currently occupies many firm's plans, the introduction of various key client teams designed to better serve the largest and most important of the firm's clients.

There is ample statistical evidence available supporting the trend toward Fortune 1000 companies consolidating the number of law firms that they wish to use. The evidence forms a convincing pic-

ture that only those firms who devote serious effort and non-billable time to providing exceptional client service and added-value are likely to survive any cuts. Surviving a cut can often translate into measurable increases in revenue from satisfied clients as well as the potential of that client availing itself of other services that they may not currently retain us for. Not surviving the cut could have financial repercussions such that your firm may experience declining revenues and a negative financial impact to all partners. In one-on-one meetings with each of your partners, you discuss your findings, seek their counsel on what action the firm should take, determine which clients might be best suited to begin efforts with forming teams around, and brainstorm ideas as to what specific action the team might take with these clients that the clients would actually value. You explain to each partner that this initiative will require an expenditure of non-billable time and probe to discern any concerns that your colleague might have.

It all starts with getting to know your people, their strengths, their shortcomings; their aspirations, and their fears. There is absolutely no substitute for face-to-face human interaction. The very best way to get to know what other partners in your firm want is to sit down and communicate with them about it - on their own turf. Find the common ground.

You must address the need for change on three fundamentally different levels:

*Belief In The Need For Firm Change:*

- Why do we need to change?
- What is wrong with the way we do things now?

*Belief In The Practicality of Change:*

- Is this proposed change practical?
- Is there a better or less arduous way to do it?

*Belief In The Need For Personal Change*

- Why do I need to change?
- What's in it for me?

Your picture and the accompanying data should evoke some initial sense of dissatisfaction and an openness to discussing alternate possibilities. A certain level of nervousness, concern, and discomfort must be in the air for real change to have a chance.

• ***Create a sense of urgency.***

Nothing whatsoever will happen just because your partners are aware of the need for your new program or initiative. How many times in your life have you been aware of something you needed to do differently, but were never able to do it. (Most of us just need to revisit our January New Year's resolutions to understand that.)

The fact is, people won't change unless they feel a compelling need to do so. Their felt need must be urgent enough to prompt them to take action. Furthermore, it must be urgent enough to help them overcome their fear of change.

Using the prior example of client teams and as you discuss the need to take action with each of your partners, what would create a sense of urgency for each partner?

Whether we care to admit it or not . . . fear is one of our primary motivators. You may find that some may fear that if they don't devote some serious attention to providing a higher level of service to one of their key clients, that irrespective of their not being the responsible partner, the loss of that client could adversely impact their billable productivity. Fear is one of the primary motivators because it reflects the deep-seated human need we all share for safety and security.

As Abraham Maslow noted in his famous hierarchy of needs, when fears arise that threaten our safety, we are obliged to act and have a stronger sense of urgency. So what are your partners afraid of?

Like all of us, they fear losing ground, losing face, or being left behind (social exclusion). And we are all afraid of failure. Suddenly faced with the prospect of failure or social exclusion, many of your partners are likely to feel a stronger sense of urgency to change what they are doing.

Any of your partners can also feel a sense of urgency derived from what I call the four F's: Fulfilment, Fellowship, Followership, or Faith.

Fulfilment reflects the common human need for achievement. Virtually all of your partners need to feel that they have accomplished something, that they are valuable, and that their efforts result in something they and others in their group will be proud of. So one way to increase a partner's sense of urgency is to appeal to their need for achievement, to help them attain a greater level of self-es-

teem through participating in the new initiative. These partners will welcome your coaching and assistance (and your new initiative) if it can help them exceed in some way – to beat out the competition, to achieve a higher status, to be recognized as an expert, to use their expertise in some way that benefits others.

Another driver of urgency for some of your partners is the need for fellowship, or social inclusion. This manifests itself in our desire for acceptance and belonging; in our response to peer and group pressures, and in our conformance to the norms of the practice group we belong to. Therefore, partners may feel an urgent need to change because they want the approval of their peers.

Sometimes, the urgency comes from followership – from being inspired or motivated by those in your firm whom they perceive as the informal leaders, teachers or mentors. For these partners, that informal leadership represents a cause, a movement, a philosophy, a passion, or a direction that they may feel that they lack. Following those they look up to, can motivate them to action.

Finally, some of your partners will feel an urgent need to change because of their need to believe in something greater than themselves. They can come to embrace certain principles – truth, righting wrongs, making things better – and be driven by a picture that changes how they see their world, and thus, how they choose to behave. In this regard, the stimulant is often a coach, who builds this partners sense of urgency through faith.

Ultimately, to succeed in creating any sense of urgency, you have to

discern what would be the most compelling to each of your partners. What would cause this individual to want to take action? The questions you might ask each partner include:

- How important to you in this?
- What will happen if we don't pursue this initiative – what would be the negative consequences?
- What are you likely to lose?
- What will happen if we continue doing what we are doing now?
- How much worse could it get?
- What will happen if we do successfully change our direction?
- How much better could the new direction be for us?
- What would be the possible benefit to your practice (or career)?
- What would have to be different for you to be able to change your behavior?

• ***Repeating your message is critical.***

Any communication gaps are going to cause problems. Bad news, rumors, and worst case thinking quickly creeps in to fill the void. The less we know, the more we suspect.

People in your firm will always make up their own explanations for events and actions that they don't understand. Keep the dialogue going. Nonstop, two-way communication is needed to offset ambiguity, counteract confusion, overcome gossip, shift attitudes, and keep your partners on course. Communication is the prescription

## Your Change Tools

As a firm leader or practice leader you have at your disposal a wide variety of “mundane tools” embedded in your daily message sending and receiving activities that can be used to energize and influence the firm’s articulated values, direction, and desired behavior.

### \* Time spent.

The time you spend wandering around the firm meeting with people is your most powerful tool. Nothing speaks louder about what is of bedrock importance than where and how you choose to spend your time. Where you spend your time is not a matter of chance. Choices are made daily about what to do and with whom. From the monthly breakfast meeting on business development issues to the selection of which performance measures to track on a regular basis, are choices that over time, send clear signals to your partners about what you believe to be really important.

The managing partner of one east coast firm kept reiterating in internal speeches and private conversations that the firm’s highest priority was in providing “unsurpassed client service”. Yet his visible allocation of effort - the attention he devoted to visiting with clients of the firm, measuring the actual satisfaction of clients, or making client service a discussion item on every meeting agenda – strongly suggested otherwise. Consequently, partners felt, in part because of what they saw of his visible efforts, that he wasn’t really committed to his stated objective.

**\* Meetings.**

Since agendas directly symbolize priorities, agenda management can be a potent change tool.

We used without success, all of the tricks in the consultants hand-book, to discern why some firms get serious results from their business development efforts while others do not. Then someone suggested looking at the minutes of the practice group's meetings. At least one part of the puzzle emerged. The high performers talked up marketing constantly; the mediocre didn't.

**\* Attendance.**

Who attends which meetings, and who presents material, can signal new approaches and new substantive directions.

**\* Questioning approaches.**

Among the clearest indicators of the direction or redirection of interest are the sorts of questions you consistently ask. The type of questions asked have a pervasive effect on the issues the firm worries about.

If your messages, focus, and time investment don't all play the same tune, your ability to maintain course will become impaired. It is the constant, consistent, effective reinforcement provided by these devices that accounts for outstanding performance.

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- **Search for opportunities that allow your partners to experience the difference.**

We all learned at a very young age that being told the stove was hot, wasn't as meaningful a learning experience as actually touching it!

Our primary objective should be to expose our partners directly to the most important and forceful aspects of the new change. The impact of an experience allows for more to be learned and retained. It is best to physically ensure that people cannot easily avoid the experience but must take the brunt of it right between the eyes.

When it comes to determining what Fortune 1000 corporate counsel are thinking, there is probably no substitute for hearing it directly from the horse's mouth. Invite a number of general counsel to attend one of your partner's meetings and be brutally candid with the assembly about what specifically they are not getting from their external service providers, that they require.

Changing entrenched and habitual behaviors often requires forcing a serious and inescapable shock to the system. The longer the behavior has been in place and the more it is seen as resulting in past successes, the greater the shock required to help partners break free.

## **2. Enlist Support and Deal With Resistance**

Law firms are inherently social systems. The professionals that occupy your firm have identities, relationships, attitudes, emotions and power structures. When you try to introduce a new strategic program or initiative, the change may be perceived as endangering some partner's prosperity, working and social arrangements, or status in the firm. And usually, all of these come into play, adding layers of complexity to your implementation process.

*In helping your partners see the need for change, you need to:*

Identify and enlist the support of those partners with a pro-change disposition and consider ways to organize and optimize the enthusiasm they bring to the initiative.

Consider:

- Are enough of your key power partners at least mildly supportive of the change?
- Do these partners have the relevant expertise to make the proposed change happen?
- Do these partners have sufficient credibility with others such that their support of the implementation effort will be treated seriously?
- Are these partners capable of forgoing their personal agendas in favor of the best interests of the firm (or practice group)?
- How can you get them to work with others?

Identify those partners who will participate most directly in the implementation.

- Where and how will this change create pain or loss in the firm?
- Who will react negatively to having their social systems disrupted?
- Which partner has something to lose?
- How is that partner likely to react?

Make your list.

Once you have identified those partners most likely to experience some discomfort with the new direction, you need to think about how these individuals can be coached through the process.

- Is there some other senior partner that they look up to that is on-side with the change and could serve as a guide or mentor?
- Can you invest the time to do some one-on-one coaching and hand-holding yourself?

Resistance is often behind the glassy-eyed stares you get following a presentation of the firm's new strategic direction; the subtle sarcasm you might detect when you propose your latest initiative; or some colleagues abrupt departure from the partner's meeting when you enthusiastically want to describe a project you've been considering. What people are saying to you, either directly or indirectly is, I've heard your idea and I don't get it, I don't like it, or I'm not sure I trust your motives.

Here are three primary forms resistance takes (driven by either logic or emotion) - and some things you can do to make each work for you rather than against you:

- ***"I don't get it."***

There is a degree of resistance that involves the world of facts, figures, and data. It crops up often when highly intelligent people try to share their brainchildren with their colleagues. They go to some lengths to explain how a certain change of behavior can solve a particular problem.

So, when you see one of your colleague's eyes glaze over, eyebrows furrow, or head tip slightly to one side or another, they're sending you an unspoken message: "I don't get what you're saying."

That's your cue to slow down, touch base with the person, and solicit their input before they get so confused or lost in the morass of your new initiative that they lose interest altogether. After all, if your partner doesn't get your idea, there's little chance he or she will support it.

If you find yourself in this position, step back from your idea and consider your audience. How can you communicate the idea to this individual in a language that they can understand? Might a story, pictures, a model, slides, an on-site walk-through, help?

Sometimes this resistance emanates from a lack of clarity: your partner sees your flow chart of activities and milestones like the wiring diagram for the next space shuttle. Have them help you rethink the project with an eye toward simplicity and coherence. The

degree to which they feel involved is the degree to which they may become your greatest advocate.

Sometimes the resistance is due to an overly ambitious plan: your partner looks at the project and thinks, “we’ll never get this done – not in my lifetime.” Enlist that partner’s help to restructure the effort into achievable and incremental chunks.

Your initiative will seldom follow your planned trajectory or timetable. The key to handling this form of resistance is in being flexible and open to revisions. As I mentioned earlier, keep in mind that your partners are most likely to get excited by and vigorously support only those initiatives that they themselves have had some small part in formulating. Your job is to help them play some part in “devising it” in a form that helps them “get it.”

- ***"I don't like it."***

Any time some partner perceives himself or herself as losing something in a change initiative, you can expect this kind of resistance.

Sometimes your proposed strategy, program or idea will trigger an emotional response, typically rooted in fear, that causes a colleague to actively oppose it. Some of the fears underlying these responses include:

- the concern that something about your idea will make this professional look bad or lose status in the eyes of others;

- an apprehension that your idea will endanger this professional's financial security;
- a level of anxiety that your new initiative may cause this professional to fail, feel incompetent or look bad; perhaps as a result of - and in the wake of - your own success.

Unfortunately we approach this type of resistance from a very reasoned and logical perspective (rather than accepting or recognizing the emotional underpinnings).

We believe that if we just provide this individual with relevant and accurate data, they will agree with making the change to their behavior. We think that if we make a sound business case for this change, they will accept it. We are bewildered when they don't act quickly and vigorously. We then assume that there is either something wrong with our logic and powers of persuasion, or there is something acutely dysfunctional about this individual.

What do we then do?

We try harder! We try harder to persuade them. In other words, we keep doing the same thing, only more of it. In fact, our zealousness may backfire. This partner may react to our zeal by becoming even more entrenched and resistant to the proposed change.

Data and facts will appeal only to the rational aspects of our colleagues' personalities. Sometimes these partners will resist for

reasons that are not so rational. Their emotions then get in the way of productive communication. If they are never aired, these fears fester until what was once a tiny speed-bump on the road to implementation is now an enormous boulder, blocking your way. In these cases, which are more often than you might think, you need to find approaches that address your colleague's emotional needs in order to move forward.

Those fearful of the change must be provided a chance to speak up. They need to be listened to with an open mind. This is not only fair but recognizes that value can be derived from such opposition. Sometimes a proposed change may be based on insufficient insight and deserves to be challenged. At other times, partners are skeptical because past failures have inoculated them against the need for change. You need to discern which of these motivations are driving your partner's emotional opposition.

Those fearful of the change must believe that you care about them – that you have their best interests at heart, and that your desire to help them is sincere. Whether you are trying to help a colleague improve performance, make better choices, do something differently, avoid ineffective behaviors or change an attitude or perspective, you show caring by offering to help rather than waiting to be asked.

Recognize and address the fears underlying this resistance and your initiative is more likely to continue to successful implementation.

- ***“I’m not sure I trust your motives.”***

While the other two types of resistance have to do with your ideas, this resistance is about you. When you're the one doing the proposing, your history with others, as well as their bias, prejudice or mistrust, influence how your idea is heard and received.

This resistance is the toughest to deal with because it's so hard to believe - and accept . . . that there are people in the world who may not trust your motives. However, if you choose to deny or ignore it, your initiatives will never get off the drawing board.

- Try these techniques for working through and moving beyond all levels of resistance:
- Focus on conversation, not presentation. Ask questions to find out what's going on in the other person's mind and why she opposes your idea.
- Listen carefully to what others say in response to your idea- both verbally and through their body language and behaviors.
- Avoid knee-jerk reactions, like defensiveness, sarcasm and shutting down.
- Find ways to connect with others. Paraphrase their concerns to show that you're listening; embrace suggestions that piggy-back on your idea; and make it clear that there's room - and

opportunity - for others to join you as you move forward to implement the idea.

Resistance at any level is good because it demonstrates that others hear you and are intrigued enough about your ideas to oppose them. That may sound like cold comfort, but it's not: Figure out what's behind a colleague's resistance and you'll be well on your way to turning opposition into support.

Now this is the point at which we wrap up most of our new initiatives. We develop our strategic plan, we unveil it to a meeting of the partners, we present the supporting data, we adopt the plan as our collective direction going forward, we assign various action components to different groups to implement, and then we beseech the partners to get with the program.

But, why is it, when these partners do see the need to make changes in their behavior, do they often still FAIL to take any decisive action?

————— \* —————

**“To improve  
is to change**

**To be perfect  
is to change  
often.”**

## II. Helping Your Partners Take Action

So you communicate the need for this new direction or initiative with your partners. You visited with and talked to each and every partner. You developed a convincing power-point on the need for everyone to adopt a change in their behavior and presented it at the last partner's meeting. Everyone was in agreement and expressed a willingness to give it a try. You sent follow-up e-mails.

Now you sit back and wait to see the inevitable beginnings of the necessary changes . . .

You wait and you wait, BUT nothing changes; no one is behaving or doing anything differently. What gives?

Your partners not only see that the old way is now wrong, but they also have a clear idea as to what the new way is . . . right? You have made the picture very clear and compelling. Ironically, you are now feeling that the clearer you make the picture and the more you repeat it, the more reluctance to taking action seems apparent.

We all understand that if people don't recognize the need for change, they are not likely to embrace change. But if people see the need for change, why would they fail to take action?

Why, even when your partners hear from the clients directly, acknowledge the need for form client teams, finally agree that they each must invest non-billable time in providing

some value-added and delivering a higher level of service, do they often still fail to move?

Would you believe . . . because they are very smart and intellectually gifted individuals?

I'm dead serious!

Very smart professionals recognize right off that they cannot go directly from doing the old habit well to doing the new behavior well. They understand that the normal progression is that they will go from doing the old well, to doing the new poorly – and that is a terrifying proposition – so much so that they become paralyzed.

Even if you didn't recognize it or tried to hide it, your colleagues are very smart, they know that that is exactly what is going to happen. Essentially from their perspective, you are telling them, "Follow me and let's all do the right thing and execute it poorly."

Now how appealing is that?

Consider the situation from your partner's perspective: how reasonable is it to venture out into the unknown just because it might get a bit uncomfortable where we are today? As strange as it may seem, even if we cannot deny that the past behavior is now wrong, when lacking a new direction, we will intensify our efforts at doing what we do know and feel comfortable with.

No one expects to be instantly great at something they have not done before. This is part of the reason we don't eagerly take up learning a new language or sport.

It creates an ego discomfort doing something new, poorly – and that discomfort gets amplified as we get older or more stuck in our ways of doing things. Therefore, asking any professional to go from being competent to incompetent, is a very unappealing suggestion.

The clearer and more compelling your argument for going in a new direction or changing behavior, the easier it is for any of your partners to see and anticipate (because they are smart) all the various ways in which changing will contribute to making them look personally incompetent or stupid. Thus, after a professional lifetime devoted to being brilliant, your partners don't yearn to look stupid. The clearer the images of how dumb you will look, the less you want to take action.

## **How Professionals Learn**

*Can you remember when you first learned how to play golf? Before you even approached the game, you were still in the "Ignorance" stage. You did not know how to play golf and you didn't even know why you didn't know how to play the sport.*

*When you first went out with a coach to learn, you arrived at Phase Two: Awareness.*

You still couldn't play, but because of your new awareness of the game and its components, you were consciously aware of why you couldn't. You may have felt overwhelmed by the skill required, but when the various skill components were broken down one by one, they weren't so overpowering. They became attainable. Step by step, familiarity replaced discomfort.

With some additional practice and guidance, you were able to become competent in driving the golf ball through recognition of what you had to do. However, you had to be consciously aware of what you were doing with all of the mechanical aspects of the swing as well as with your body.

*This third phase is the hardest stage - the one in which your people may want to give up. This is the "Practice" stage.*

People tend to feel uncomfortable when they goof, but this is an integral part of Phase three. Human beings experience stress when they implement new behaviors, especially when they perform them imperfectly. In Phase three, you must realize that it is natural to want to revert to old, more comfortable behaviors, even if those behaviors are less productive. At this phase, you must realize it's all right to make mistakes. In fact,

it's necessary so you can improve through practice, practice, and more practice.

Returning to our golf analogy, think of the last time that you played. Were you consciously aware of all of the actions that you went through? Of course not!

Most of us, after playing awhile, progress to a level of "Habitual performance."

This is the level where we can do something well and don't have to think about the steps. They come "naturally" because they've been so well rehearsed that they've shifted to automatic pilot.

*This final stage, Phase four, is when practice results in assimilation and "habitual performance," where your productivity increases beyond its previous level and reaches a new and higher plateau. By experiencing success and encouragement at each level, of this four-phase process, change can be exciting instead of intimidating.*

The bottom line: skills, competencies and attitudes improve by taking one step at a time.

Add to all of this a potential internal culture where mistakes are often punished and learning new skills slow to be rewarded and who would want to venture into certain incompetence and probable punishment, when you can continue to quietly reside in your existing comfort zone. From that position, you can then wait and watch to see what happens to those more adventuresome in testing the waters of the new and unexplored.

Indeed, when professionals talk about their firm's "culture," they imply a certain measure of stability and routine. Today, we reinforce that stability with giving practice leaders job descriptions that prescribe in fairly concrete terms what each leader is expected to do. There is also an implied agreement that if a fee-earner does X, and does it well, the fee-earner will receive Y in compensation and be viewed as a firm contributor in good standing.

Obviously if you are to have any hope of breaking out of this quagmire, you must help your partners see, and more importantly, believe in a path to take them from doing the new behavior poorly to doing it well, as quickly as possible. Helping your partners to gain this belief requires that you:

- make sure that they clearly see the destination;
- give them the resources and tools, or help them to quickly develop the skills necessary to reach that destination; and
- deliver positive recognition, and/or ample protection (a clear safety net), along the path.

### **1. Clear Destination**

What may surprise you is how often some leader believes he or she has clearly articulated and pointed the way to the right direction or behavior and then someone independent like me comes along to be the sounding board for all of those partners who haven't the foggiest idea of what the expectations really are.

Consequently, you need to assure yourself, in your leadership role, that your colleagues are clear on where they believe the firm or practice group needs to go, or what new specific behaviors all the partners need to adopt. Both in one-on-one meetings with each partner, and then collectively, you need to have them describe to you each key element that is going to be required and what the new destination will require from them in terms of their new behaviors and skills.

The point here, is that for complete comfort with the beginnings of any change, your colleagues need to see clearly where they are going and to perceive the implications for them, of the steps required to make the journey.

### **2. Resources Or Skills Required**

The key question then becomes whether your partners believe that they possess the necessary attributes to walk the new path.

What is required is to have your partners identify the resources needed and whether they believe those resources are currently

available within the firm or whether they feel that they would benefit from some form of external support.

Sometimes the resources that partners need might involve added manpower, or bringing in external assistance. In other instances, the need might be for a budgetary provision such that more non-billable time may be invested in learning new skills. This may require time invested with training, mentoring, coaching or any number of other techniques to generate the essential knowledge and skills for mastering the new behaviors necessary to a successful change initiative.

Keep in mind that there may be a need to fast-track your people's skill development in order to pave the path for them to feel comfortable taking any meaningful action.

### ***3. Recognition Or Protection***

All of us know the power of recognition in motivating and moving people. There is no substitute for knowing your partners and understanding what types of rewards they value. For some, it is quiet acknowledgment; for others it may require drawing peer attention to their progress. Only you can discern which stimulus is the most influential for each given individual.

The key thing to be mindful of, is that your partners must believe that these support provisions are in place. It is their belief that really matters, not yours.

One of the important mandates that resides with you as a leader,

following the introduction of some new program or change is that of managing your colleague's expectations.

In the immediate short-term following the acceptance of your new initiative, mostly good things are perceived to happen. Promises of opportunity fill the air. The subsequent transition period soon transforms into a prolonged vacuum between the old reality and the pending one. In this in-between time, neither the old rules nor the new rules work. It is time when everything seems to be up in the air; chaotic, unreal and confused.

**Burn This Into Your Brain:** Every change potentially terminates relationships and plans, shifts power and status.

When you under-manages this transition, performance can be severely damaged. Unmanaged uncertainty is transformed into speculation, confusion and unproductive anxiety. This phenomenon is similar to the postoperative phase of recuperation experienced by an individual undergoing surgery. The recuperating patient will display a drop-off in productivity; and there will be difficulty in mobilizing personal resources. Firms undergoing change usually struggle through a comparable adjustment process.

Regrettably, a frequent response is to keep a low profile, offer reassurances, and largely to do nothing for weeks or even months following announcement of the new initiative. The typical comment becomes, "Let's let the dust settle for a while and allow people to get comfortable with things." But comfort isn't usually what people are feeling. Sadly, there has not been a corresponding attention

given to managing this change transition and integration process after some “new program” has been announced. The result has become that too many of these worthwhile initiatives either evoke such discomfort that expected benefits are short-circuited, or the firm involved gravitates to other priorities and the initial impetus wanes over time.

Worse yet, you may easily succumb to implicitly promising more than may be capable of being easily delivered.

The fact is that any new change of behavior is slow, expensive and difficult to implement. There is always a longer-than-promised time of confusion and mess; and it always seems to cost a lot more (in time and energy) than anyone estimated it would. I have repeatedly witnessed the aftermath of unfulfilled promises about how some proposed new initiative would solve the firm’s problems or set the firm on a more profitable new course; how the change would be so well planned as to not significantly disrupt present operations; how it would not take very long; and how it would not cost very much, or require much non-billable time to implement.

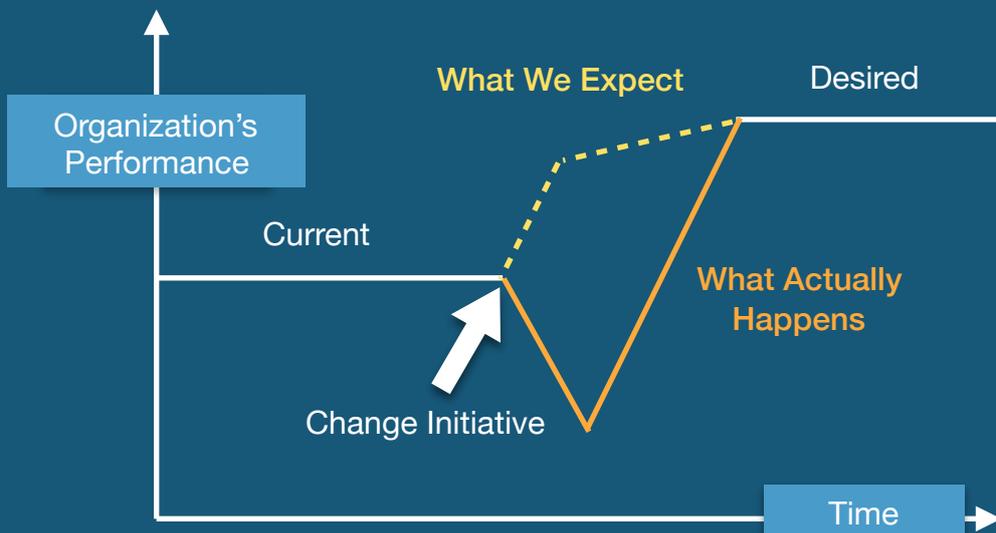
### ***The J-Curve***

We begin every new initiative at some level of performance. The performance factor could be objective, such as cost, time, client satisfaction, or other indicators; or it could be subjective, such as the perceived morale of the professional staff. We expect that things will start to improve right away

*and that the variable plotted on the vertical axis will immediately start to climb. We allocate budget dollars, appoint a task force, launch the new project, start the training seminars, and do all the things we've thought of to achieve the improvements we want. We expect, that the results will move upward toward the level we seek.*

Having to revise expectations occurs quite regularly; in fact, it qualifies as an official syndrome of organizational change.

To visualize it, picture the flow of events as shown by this "J-curve":



What happens is that things don't start improving immediately; they get worse.

## Why?

Because we have upset the system. We've introduced instability and change into a system that previously operated on well-established habits. If we reorganize, we'll have an inevitable period of confusion; people have to figure out how the new arrangement is supposed to operate. If we change responsibilities, people tend to mix old behaviors with the new ones, until they get used to the new rules. If we change the information systems, people need to learn to use new procedures. Instead of smooth, harmonious change, we get confused, stressful adaptation.

You begin to sense, unconsciously at first and more clearly as time goes on, the grotesque disparity between expectations and results. This gap, more than anything else, tends to demoralize, plant doubts in your colleague's minds, and put them off from any original enthusiasm. At the point of greatest disparity between expectations and results, shown on the graph as the Valley of Despair (VOD), many change initiatives die.

If you understand the concept of the J-curve, condition your colleagues as to what to expect, and tough it out to get past the valley of despair, things can begin to turn around. Some of the hoped-for results begin to appear. Partners begin to

feel more confident and get behind the new way of doing things. Morale improves; a sense of optimism begins to set in. We begin to sort out what works from what doesn't.

My observations confirm for me that the vast majority of new initiatives fail due to the lack of decisive action after the initiative has been announced. In fact, as a leader, you are likely to spend an inordinate amount of your time conceiving the strategy and developing the issues; but spend only 8% of your total time on the critical transition issues following the change . . . a time when your new program or initiative is most vulnerable.

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### III. Nurturing Your Partners To Follow-Through

Even after getting your partners to see that the old ways will no longer work and recognize the changes that have to be made; even after getting those partners to clearly see the new path, helping them develop the skills and obtain the resources required, and believe that they can do it competently, your change efforts can often falter. In fact, this is the one area where I see nine out of every ten firms fail!

The problem that many in leadership face is that they think that once having launched the new strategy or initiative, the job is done and the rest will naturally come about of its own volition. Unfortunately, it just doesn't happen that way. The real leadership investment of time in bringing about the desired change begins NOW.

The “rubber” of change meets the “road” of results in partner's behavior. In other words, new initiatives and strategies do not make a difference until people act differently. However, no matter how we approach it, it takes time for the desired change to cascade throughout the team. As a consequence of this time lag, there is a possibility that some partners will not only get fatigued, but even disoriented during their journey.

Your partners are asking themselves, “Can I trust that we will actually achieve the outcomes that were promised?”

And if you are one of those firm leaders, who with the very best of intentions, has already had a couple of prior initiatives fall flat, your partners may also be reflecting upon, “How can I be assured that if I invest the non-billable time and effort, that the rug won’t be pulled out from under me and some new strategy or program announced, just as I’m getting the hang of things?”

The gravity of your failed prior change efforts, combined with the pull of their previous comfortable ways of behaving exerts a constant and massive force.

Consider one of your partners, we’ll call George. Unconsciously, George compares his personal return on investment with respect to his existing behavior versus the new behavior being advocated. The old behavior involves minimum effort and the ego gratification of feeling powerful doing what is comfortable. The new behavior requires lots of effort and not that much immediate reward. Should George trust that the rewards will improve? Should he believe that eventually, his new behaviors will translate into better performance for the firm and thereby a more rewarding future for him personally?

Repeat this scenario by the number of partners required to change their personal behaviors in some way, and it is easy to see the magnitude of your challenge.

Now if George loses faith or his trust is eroded, or he simply gets tired of exerting the effort, the gravitational pull of old habits quickly overpowers any initial momentum. It’s easy to see why

your grand new strategy might not transform your firm, or its bottom line.

Change initiatives can often fail to be implemented because partners get fatigued with putting in the energy required to walk some new path with an unproven return on their investment. Partners become disillusioned by the vapor of trust, when the concreteness of the past has worked and might continue to work just as well, with only some fine-tuning.

Let's be optimistic and suggest that you have partners who are committed to going the distance. Six months go by. George has been working diligently. He feels as though he has made some progress . . . but how much progress? He is not sure. He now wonders about the rest of his partners, "Are they working at this as hard as I am?"

He suspects that he is among the minority and that most of the others are not really taking this as seriously as he is. George just isn't sure where things stand. He is starting to feel disoriented and wonders why he should keep moving forward.

Now, as is always the case, George wants to do his part, he cares about how his fellow partners view him, and really does want to be seen as a team player – he just doesn't want to be the only "sucker" putting in all the extra effort!

Knowing that this challenge exists for George and others, here are

a few actions that you can take to nurture your partners to follow through:

- **Appoint An Implementation Champion.**

It may be a given that your executive committee and all of the partners support the change. However you need to manifest that support with some dedicated attention. The best way to do that and to achieve success with your new initiative is by appointing some senior and highly-respected partner to devote the necessary non-billable time to serve as an “implementation champion” – someone who will provide constant support, care, and nurturing to those (like George) who are taking their walk in faith.

In those cases where you are attempting a large-scale change effort, you may need to appoint a number of implementation champions and invest the time required. In some instances where that might be impractical, the best course of action would be to begin your change initiative with a smaller, contained pilot launch.

Your implementation champions must know what to look for and what behaviors to reinforce. What is it specifically that you are looking for? Are you looking for concrete results or well-intended efforts?

My strong contention is that you begin any change effort by focusing simply on reinforcing and recognizing well intended efforts. Concrete results will come later. Remember that your partners are not going to be great at something they have never done before or

feel slightly uncomfortable with, in their initial efforts. To demand results at this stage will only intimidate and demoralize people and cause them to return to their old habits.

• ***FOCUS ON WHAT'S WORKING.***

In an attempt to fix what seems to be broken, people assume there's something wrong (with the plan, the concept, or even the people). What is often overlooked is all that is already working. Cement, for example, goes through a curing process. There's a point at which it may look solid, but is still soft and (great for kids) pliable. Is there something "wrong"? Of course not.

Whether your plans call for completing a brief bank or changing the culture of your firm, there are always things that are working – every day – in your plan. When you focus your attention on what's not working, all you'll see is what's not working. The natural cycle of enthusiasm is greatly influenced by where and how you focus your attention. If you focus on the "lack of enthusiasm" or "lack of change", then you are actually causing the enthusiasm to diminish and change to cease. Great leaders know this, and instead put their attention on what IS working.

They'll focus on the enthusiasm that still exists, and the efforts (however small) that are occurring. By doing so, these leaders understand the natural cycles of motivation and will influence the process to continue to resolution.

• ***IF YOU AREN'T GOING TO MEASURE, THEN DON'T BOTHER.***

You've heard it before: "what gets measured, gets done."

It's still true. An effective measurement system that scans both the lagging (outcome) measures and leading indicators to allow mid-course corrections can and should become your framework for managing the implementation of your program. Keeping track of what is being done (ensuring everyone is pulling the rope in the same direction) can only be accomplished with a measurement system that is tied to your strategy.

The best measurement system is one that creates a "dashboard" of the few, but critical, key indicators. This dashboard should include lagging indicators (often financial or client satisfaction data) that will allow you and your team to clearly see and evaluate the results that have been achieved. It should also include leading indicators (like scheduled meetings with key clients or planned service enhancement actions to be taken) to monitor the progress of change and make course corrections as necessary.

Many teams have a slew of financial measures they pay attention to and, while the financials are important, they also are retrospective. They can only tell you where you have been, not necessarily where you are going.

Each partner's progress needs to be charted, monitored, and communicated. Without that intercession, George is left to imagine the

worst. And if George does not perceive that progress is being made, what is his motivation to want to continue?

People cannot and do not suspend judgment and conclusions for long. Lacking any information or conclusions from their leaders, they soon form their own. George and his colleagues may assume that if things were good, they would hear about it. As they are not hearing anything, that must mean that things are really appalling.

Achieving success requires monitoring and communicating at the individual level. Each of your partners needs to know that he or she is going in the right direction, behaving in the desired manner, making some progress, and that the firm or group is collectively moving toward the desired result.

Concurrently, those same partners need advice, counsel, and continual hands-on assistance on how specifically they can make further improvements.

## **IV. Conclusion**

Getting your team to align their behavior with your proposed strategy for the future usually means that each partner must, to some extent, change the way they work and think. And since we all know that people resist change, therein lies the problem, right?

The point here is that it is not really change that your partners resist. In fact, each of your partners frequently and voluntarily

makes specific decisions in their lives to create and embrace some new change. What these partners really resist is the loss of control over the professional lives that they've worked so long and hard to create. When we say "change" they think: "I used to have this figured out, if it changes will I know what to do? Do I have the skills and support I need to be successful? What if I fail?"

There is good news in this message. If it is not truly a resistance to change, but fear of a personal loss of control that some of your partners are experiencing, then as a leader how big a step is it for you to figure out how you can help your colleagues begin to retool and regain control?

Regaining a personal sense of control is, in large part, a process of regaining personal competence. With competence comes confidence; and with confidence comes commitment.

If we as leaders, can STOP thinking about how to best SELL our fellow partners on our latest new strategy, program, direction, initiative - and focus instead on helping our colleagues reestablish control over their professional lives, our implementation challenges will become far less formidable.

## About The Author

Patrick J. McKenna

An internationally recognized author, lecturer, strategist and seasoned advisor to the leaders of premier law firms, Patrick has had the honor of working with at least one of the largest firms in over a dozen different countries.

The Financial Post labeled McKenna “a professional firm management and marketing guru, with a client base stretching from Britain to the United States.” Jim Kouzes, Chairman Emeritus, *topmeters!* company described him as “a highly seasoned and extraordinarily credible professional.” And his consulting expertise was acknowledged when he was identified through independent research compiled and published by Lawdragon as “one of the most trusted names in legal consulting” and by American Lawyer magazine as “a long time succession consultant and coach to new firm leaders.”

Patrick authored a pioneering text on law firm marketing, *Practice Development: Creating a Marketing Mindset* (Butterworths, 1989) recognized by an international journal as being “among the top ten books that any professional services marketer should have.” His subsequent works included *Herding Cats: A Handbook for Managing Partners and Practice Leaders* (IBMP, 1995); and *Beyond Knowing: 16 Cage-Rattling Questions To Jump-Start Your Practice Team* (IBMP, 2000).

A prolific writer on the challenges of firm leadership, his book (co-authored with David Maister), *First Among Equals: How to Manage a Group of Professionals*, (The Free Press, 2002) topped business bestseller lists in the US, Canada and Australia; translated into nine languages; is currently in its seventh printing; and received a best business books of 2002 award. Leaders across various professions like Kenneth LeStrange, Chairman of Aon Risk Services; Douglas McCracken, CEO of Deloitte Consulting; Claudio Fernandez Araoz, Executive with Egon Zehnder Partners; and Allan Koltin, President of the Practice Development Institute described the book as ‘the essential guide to practice leadership.’

Obsessed with innovation, Patrick was instrumental in introducing the first global (InnovAction) awards initiative in 2003, in conjunction with the College of Law Practice Management, to identify and celebrate global law firm innovation.

In 2006, McKenna’s e-book *First 100 Days: Transitioning A New Managing Partner* (NXTBook) earned glowing reviews being read by leaders in 63 countries. This publication culminated in Patrick being asked to conduct a one-day masterclass for new firm leaders, usually held at the University of Chicago. Over 80 leaders from AmLaw 100, AmLaw 200, accounting and consulting firms, hailing from four countries have graduated from the program. According to Hugh Verrier, Chairman of White & Case:

"I was struck by the synthesis of the issues you presented. It was amazingly clear and comprehensive, given the breadth of

the topic and the short time available. I was delighted to attend the event and I learned a lot from it."

The book *Management Skills* (John Wiley) named Patrick among the "leading thinkers in the field" together with Warren Bennis; and in 2008, *In The Company of Leaders* included his work amongst other notable luminaries like Dr. Marshall Goldsmith. His most recent e-book, *Leadership Lessons From The Trenches* (Legal Business World Publishing)) was released in 2018.

McKenna's published articles have appeared in over 50 leading professional journals, newsletters, and online sources; and his work has been featured in *Fast Company*, *Harvard Business Review*, *Forbes*, *Business Week*, *The Globe and Mail*, *The Economist*, *Investor's Business Daily* and *The Financial Times*. He currently serves as Contributing Editor to *Of Counsel: The Legal Practice and Management Report* (New York) and writes a periodic column for the *Legal Executive Institute*.

Patrick has lectured on professional service management and strategy for the Canadian, American and International Bar Associations; the Canadian Tax Foundation, the International Union of Lawyers, the Institute For Law Firm Management, The Institute For International Research, the Society for Marketing Professional Services, The Managing Partner's Forum, Centaur Conferences Europe and the *Financial Times Of London*. He is a frequently requested speaker, having appeared in London, Geneva, Vienna, Munich, Marrakech, Istanbul, Singapore, Hong Kong, New York,

Boston, Chicago, San Francisco, and Toronto for professional conferences and seminars.

Patrick did his MBA graduate work at the Canadian School of Management and is among the first alumni from Harvard's Leadership in Professional Service Firms program (1996).

McKenna's decades of experience led to his being the subject of a Harvard Law School Case Study entitled: Innovations In Legal Consulting (2011). He was the first "expert" in professional service firms admitted to the Association of Corporate Executive Coaches, the #1 US group for senior-level CEO coaches; was the recipient of an Honorary Fellowship from Leaders Excellence of Harvard Square (2015); and voted by the readers of Legal Business World as one of only seven International Thought Leaders (2017).

Most recently McKenna helped launch the first International Legal Think-Tank (LIFT: Legal Institute For Forward Thinking) comprised of futurists, academics, researchers and consultants from three countries.

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